

SENATE

FRIDAY, JANUARY 9, 1931

(Legislative day of Monday, January 5, 1931)

The Senate met in executive session at 12 o'clock meridian, on the expiration of the recess.

The VICE PRESIDENT. The Senate, as in legislative session, will receive a message from the President of the United States.

EXECUTIVE MESSAGES

Messages in writing from the President of the United States were communicated to the Senate by Mr. Latta, one of his secretaries.

PROPOSED EXTRA SESSION

Mr. WHEELER. Mr. President, I ask unanimous consent to have printed in the RECORD an article from to-day's New York World entitled "Creating Another Hysteria." It discusses the question of an extra session of the Congress.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the New York World, January 7, 1931]

CREATING ANOTHER HYSTERIA

In fostering the notion that a special session of Congress would be a public calamity Mr. Hoover, it seems to us, is drifting into dangerous waters. He is not making a special session any less probable by this sort of talk. On the other hand, he is exposing American opinion to an hysterical disappointment at a time when it is above all desirable to be calm, confident, and realistic.

It is a great disservice at a time like this for the President to lend his encouragement to the idea that the recovery of business depends upon whether the Congress of the United States adjourns on March 4 and stays adjourned until next December. The recovery of business does not depend upon any such eventuality as that, but if everybody gets to believing it, we shall manufacture a psychological depression in the spring or summer when a revival may be starting, just because everybody believes that a calamity has occurred.

Just a year ago at this time Mr. Hoover was going to restore the boom times by announcing every few weeks that the depression was over. His announcements accentuated the depression by causing business men and investors to ignore the hard economic facts for several months and to delay the inevitable and necessary liquidation. A year and a half before that Mr. Hoover and his publicity men were telling the country that his election would guarantee four more years of the boom. By their talk they created the illusion that the boom would last forever, and every sane voice raised in warning against the excesses of those days was drowned out. Now, once again, the same expensive folly is being indulged in. The country is being taught to believe that

if the President does not have his way with Congress a "calamity"—the word is Senator Watson's—will ensue. Where formerly we were encouraged to ignore the realities by a false optimism, now we are being encouraged to ignore the facts by an equally false pessimism.

What the American people need is to stop letting politicians exploit their credulity. The world-wide movements of prosperity and depression are not determined by the election of Republicans, or the pronouncements of a President, or the adjournment of Congress. When politicians tell us that by electing them we can make prosperity permanent, they are deceiving themselves and us. When they tell us that prosperity will not return because the national legislature may meet in the spring, they are deceiving themselves and us. The Republicans exploited the boom to get themselves elected. They are now exploiting the depression to avoid facing the political consequences of the November elections. What they really fear in a special session is not the effect on business, but the effects on their own political fortunes.

The greatest real danger which a special session presents is the fact that people have convinced themselves that it is dangerous. There would be inconveniences in a special session. There might be some legislation which many of us would regard as unwise. There would be a vast amount of maneuvering and investigating. We ourselves should prefer to see these matters postponed until next winter. But what seems to us worse than the worst that Congress might do is to become hysterical over the prospect and thereby to exaggerate beyond all reason the real consequences.

The sensible attitude to take now is to discount the inconveniences of a possible special session and to proceed calmly and resolutely with the serious business of readjustment on which a revival depends. It is not anything that Congress can do or say which will in any important way affect that readjustment. That depends upon the exercise of sound and courageous judgment by great masses of merchants, bankers, farmers, and investors. They will get no help from Washington and no real hindrance. The tariff will stay where it is for the present. The Farm Board will proceed inexorably to the failure of its policy. Nothing will be done at Washington to help stabilize the world politically. The revival will come when men have accepted the losses which must precede it and have made the readjustments which necessity imposes. The new Congress, if it meets in special session late this spring, or in regular session next winter, will not and can not and would not know how to deal in any fundamental sense with the economic situation. Its fundamental preoccupation will be the political situation of 1932. That ought not to worry those who are engaged in doing their immediate part toward the restoration of prosperity.

STATE APPORTIONMENTS OF CIVIL-SERVICE POSITIONS IN WASHINGTON

Mr. DILL. Mr. President, Mrs. Nannie Lee King, Washington, D. C., has prepared some statistics regarding employees in the civil service by States. I ask unanimous consent that the paper may be printed in the RECORD.

There being no objection, the matter was ordered to be printed in the RECORD, as follows:

Reports of United States Civil Service Commission on condition of apportionment among the States at Washington on basis of population

State	Quota, December, 1930	April 25, 1917	June 30, 1919	June 30, 1921	June 30, 1926	June 30, 1928	Reductions, 1919-1928	June 30, 1930	Increases, 1928-1930
Alabama.....	828	207	663	533	327	322	441	314	-8
Arizona.....	118	25	82	57	39	35	47	39	4
Arkansas.....	618	142	297	235	157	173	124	194	21
California.....	1,209	262	900	505	326	308	592	356	48
Colorado.....	331	125	439	260	202	197	233	217	20
Connecticut.....	487	168	443	380	277	275	168	270	-5
Florida.....	342	99	449	347	204	223	225	254	31
Georgia.....	1,022	306	690	530	406	373	317	381	8
Idaho.....	152	45	141	98	65	80	61	98	18
Illinois.....	2,288	684	2,572	1,624	1,013	1,013	1,559	1,104	91
Indiana.....	1,034	354	1,944	1,116	748	664	1,280	680	16
Iowa.....	848	302	1,565	896	574	630	735	768	138
Kansas.....	624	241	1,037	534	371	388	649	431	43
Kentucky.....	833	275	926	789	521	515	411	497	-18
Louisiana.....	634	162	403	295	195	186	217	203	17
Maine.....	271	110	403	293	246	236	167	252	16
Massachusetts.....	1,359	624	2,344	1,714	1,125	1,104	1,240	1,171	67
Michigan.....	1,294	324	1,320	766	460	455	865	474	19
Minnesota.....	842	251	1,226	628	400	438	788	502	64
Mississippi.....	632	197	636	444	290	276	360	281	5
Missouri.....	1,201	411	1,660	953	649	700	960	776	76
Montana.....	194	55	146	127	103	102	44	100	-2
Nebraska.....	457	157	616	290	217	227	389	285	58
New Hampshire.....	156	69	239	198	121	115	124	125	10
New Jersey.....	1,113	351	923	737	491	484	439	481	-3
Nevada.....	27	12	29	25	14	12	17	14	2
New Mexico.....	127	30	74	62	60	55	19	64	9
New York.....	3,664	1,364	4,831	3,363	2,081	1,971	2,860	1,977	6
North Carolina.....	903	271	965	629	439	449	216	477	28
North Dakota.....	228	56	263	143	85	86	177	100	14
Ohio.....	2,032	662	2,154	1,488	995	927	1,227	939	12
Oklahoma.....	716	130	391	254	185	174	217	193	19
Oregon.....	276	95	266	165	121	132	134	157	25
Pennsylvania.....	3,073	1,128	3,651	3,219	2,054	2,013	1,633	2,091	68
Rhode Island.....	213	93	262	255	169	180	82	188	8
South Carolina.....	594	194	387	304	244	260	127	258	-2
South Dakota.....	226	64	244	138	110	128	116	145	17
Tennessee.....	825	258	888	713	510	469	419	476	7

Reports of United States Civil Service Commission on condition of apportionment among the States at Washington on basis of population—Continued

State	Quota, December, 1930	April 25, 1917	June 30, 1919	June 30, 1921	June 30, 1923	June 30, 1928	Reductions, 1919-1928	June 30, 1930	Increases, 1928-1930
Texas.....	1,643	369	1,113	723	494	455	658	468	13
Utah.....	159	57	138	102	91	100	38	115	15
Washington.....	479	138	429	235	179	178	251	222	44
West Virginia.....	516	188	521	530	440	432	89	459	27
Wisconsin.....	929	269	931	565	395	398	533	427	29
Wyoming.....	69	21	39	40	24	27	12	40	13
Vermont.....	124	64	291	228	150	141	150	140	—1
Delaware.....	79	39	91	99	86	79	12	76	—3
Total.....		11,477	39,769	27,482	18,499	18,219	21,428	19,309	1,123
District of Columbia.....	154	1,294	7,824	11,756	10,789	12,584	14,760	12,934	350
Maryland.....	511	489	1,973	2,390	2,208	2,318	1,340	2,419	101
Virginia.....	815	377	2,029	2,458	2,249	2,495	1,466	2,611	116
Total.....		2,260	11,831	16,504	15,246	17,397	16,566	17,964	567
Grand total.....		13,757	51,600	44,086	33,745	35,616		37,273	1,690

¹ Increase.

In 1928 there were 35,616 in service. States had 18,219. District of Columbia, Virginia, and Maryland had 17,397.

In 1926 there were 33,745 in service. States had 18,499. District of Columbia, Virginia, and Maryland had 15,246.

Total increase, 1,861 in service. States lost 290. District of Columbia, Virginia, and Maryland gain 2,151.

In 1930 there were 37,273 in service. States had 19,309. District of Columbia, Virginia, and Maryland had 17,964.

In 1928 there were 35,616 in service. States had 18,219. District of Columbia, Virginia, and Maryland had 17,397.

Total increase 1,657 in service. States had 1,090. District of Columbia, Virginia, and Maryland had 567.

Since Governor Campbell became President of the Civil Service Commission last July, from June 30, to December 30, 1930, States in arrears received 721 appointments, making 1,811 appointments for the States during the two and one-half years since investigation under Senator HEFLIN's resolution 154 began in June, 1928; whereas for the two years prior to this investigation the District of Columbia, Virginia, and Maryland received 2,151 appointments, and the States lost 290.

States in arrears are not yet where they were in 1921, because of the ruling by the Civil Service Commission that the State quota law does not apply to reductions of force, and the local people in the Government offices advising the State people that their services were not needed because of "reduction of force."

In order to secure the number of appointments given to the District of Columbia, Virginia, and Maryland, in excess of their quotas since November 11, 1918, it was necessary for Senator HEFLIN to have a resolution passed by the Senate compelling the Civil Service Commission to supply this information, which report was filed with the Senate December 3, 1930, Senate Document 224, which may be of interest to residents of the States who pay taxes for these positions they are deprived of.

May I hope that you will have this statement published in the CONGRESSIONAL RECORD in order that the Senators and all who read the RECORD may see the service Senator HEFLIN has rendered in helping the States to receive and retain their quota of civil-service positions in the apportioned Federal service at Washington, which the civil service law provides shall be apportioned among the States and the District of Columbia on the basis of population, which was made possible by Senator DENEN's committee providing \$2,500 for the investigation.

GOVERNMENT OF AMERICAN SAMOA (S. DOC. NO. 249)

Mr. BINGHAM. I inquire if a message from the President of the United States with reference to the government of American Samoa has been laid before the Senate?

The VICE PRESIDENT. The message from the President of the United States is on the table, but has not been laid before the Senate.

Mr. BINGHAM. Mr. President, I ask the Chair to lay before the Senate a message from the President in order that I may introduce a bill appropriate thereto.

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, which was read, and, with the accompanying report, referred to the Committee on Territories and Insular Affairs and ordered to be printed:

To the Congress of the United States:

I transmit herewith for the information of the Congress the official report of the American Samoan Commission, appointed in pursuance of the joint resolution of Congress, approved February 20, 1929, being Public Resolution No. 89 of the Seventieth Congress, and of the joint resolution of

Congress approved May 22, 1929, being Public Resolution No. 3 of the Seventy-first Congress, together with an appendix containing a copy of a bill.

HERBERT HOOVER.

THE WHITE HOUSE, January 9, 1931.

Mr. BINGHAM. I ask unanimous consent to introduce the bill which I send to the desk.

The VICE PRESIDENT. Without objection, the bill will be received.

The bill (S. 5621) to provide a government for American Samoa was read twice by its title and referred to the Committee on Territories and Insular Affairs.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Haltigan, one of its clerks, announced that the House had agreed to the amendments of the Senate to the bill (H. R. 9985) to amend the act entitled "An act to amend the national prohibition act," approved March 2, 1929.

The message also announced that the House had passed without amendment the following bills of the Senate:

S. 4803. An act to extend the time for constructing a bridge across the Atchafalaya River at or near Morgan City, La.;

S. 4804. An act granting the consent of Congress to the Louisiana Highway Commission to construct, maintain, and operate a free highway bridge across the Atchafalaya River at or near Krotz Springs, La.;

S. 4805. An act to extend the time for construction of a free highway bridge across the Red River at or near Moncla, La.;

S. 4806. An act granting the consent of Congress to the Louisiana Highway Commission to construct, maintain, and operate a free highway bridge across the Red River at or near Alexandria, La.;

S. 4807. An act to extend the time for construction of a free highway bridge across the Red River at or near Coushatta, La.;

S. 4808. An act granting the consent of Congress to the Louisiana Highway Commission to construct, maintain, and operate a free highway bridge across the Red River at or near Shreveport, La.;

S. 4809. An act granting the consent of Congress to the Louisiana Highway Commission to construct, maintain, and operate a free highway bridge across the Ouachita River at or near Sterlington, La.;

S. 4810. An act to extend the time for construction of a free highway bridge across the Ouachita River at or near Monroe, La.;

S. 4811. An act to extend the time for construction of a free highway bridge across the Ouachita River at or near Harrisonburg, La.; and

S. 4812. An act to extend the time for construction of a free highway bridge across the Black River at or near Jonesville, La.

ENROLLED BILL, SIGNED

The message further announced that the Speaker had affixed his signature to the enrolled bill (H. R. 9985) to amend the act entitled "An act to amend the national prohibition act," approved March 2, 1929, and it was signed by the Vice President.

FEDERAL POWER COMMISSION

The Senate being in executive session,

Mr. McNARY. Mr. President, I desire to propose the following unanimous-consent agreement and to suggest the absence of a quorum.

The VICE PRESIDENT. Let the unanimous-consent agreement be read first.

The Chief Clerk read as follows:

Ordered, by unanimous consent, that after the hour of 4 o'clock p. m. to-day no Senator shall speak more than once nor longer than 15 minutes upon the motions of the Senator from Montana [Mr. WALSH] to request the President of the United States to return to the Senate the notifications of the confirmation of the nominations of George Otis Smith, Marcel Garsaud, and Claude L. Draper, respectively, to be members of the Federal Power Commission, and that at not later than 6 o'clock p. m. to-day the Senate proceed, without further debate, to vote upon the said motions.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Ashurst	Fess	King	Shortridge
Barkley	Fletcher	La Follette	Smith
Bingham	Frazier	McGill	Smoot
Black	George	McKellar	Steck
Blaine	Gillett	McMaster	Steiwer
Blease	Glass	McNary	Stephens
Borah	Goff	Metcalf	Swanson
Bratton	Goldsborough	Morrison	Thomas, Idaho
Brock	Gould	Morrow	Thomas, Okla.
Brookhart	Hale	Moses	Townsend
Broussard	Harris	Norbeck	Trammell
Bulkley	Harrison	Norris	Tydings
Capper	Hastings	Nye	Vandenberg
Caraway	Hawes	Oddie	Wagner
Carey	Hayden	Partridge	Walcott
Connally	Hebert	Phipps	Walsh, Mass.
Copeland	Heflin	Pine	Walsh, Mont.
Couzens	Howell	Ransdell	Waterman
Cutting	Johnson	Reed	Watson
Dale	Jones	Robinson, Ark.	Wheeler
Davis	Kean	Robinson, Ind.	Williamson
Deneen	Kendrick	Sheppard	
Dill	Keyes	Shipstead	

The VICE PRESIDENT. Ninety Senators have answered to their names. A quorum is present. The clerk will report the unanimous-consent request submitted by the Senator from Oregon [Mr. McNARY].

The Chief Clerk read as follows:

Ordered, by unanimous consent, that after the hour of 4 o'clock p. m. to-day no Senator shall speak more than once nor longer than 15 minutes upon the motions of the Senator from Montana [Mr. WALSH] to request the President of the United States to return to the Senate the notifications of the confirmation of the nominations of George Otis Smith, Marcel Garsaud, and Claude L. Draper, respectively, to be members of the Federal Power Commission, and that at not later than 6 o'clock p. m. to-day the Senate proceed, without further debate, to vote upon the said motions.

The VICE PRESIDENT. Is there objection?

Mr. WALSH of Montana. Mr. President, I call attention to the fact that the recital of the motion in the proposed unanimous consent is not accurate. The motion is to reconsider and request the President to return the notifications.

Mr. LA FOLLETTE. Mr. President, may I make a parliamentary inquiry to the effect as to whether the Chair would hold that the agreement, if entered into, would apply to all debate in the Senate on any subject or merely to the question that is now pending?

The VICE PRESIDENT. The Chair would hold that after the hour of 4 o'clock debate would be limited on all questions until this matter is disposed of.

Mr. LA FOLLETTE. I think it fair to Senators that I should state that I desire to address the Senate on a subject not related to the pending question, and should I obtain the floor I would occupy about an hour. In fairness to Senators I want to make that statement in case it would alter their judgment as to the wisdom of adopting the proposed unanimous-consent agreement.

Mr. HEFLIN. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. HEFLIN. Would it be in order now to make a motion to postpone further action upon this matter until 7.30 o'clock this evening?

The VICE PRESIDENT. The pending unanimous-consent order could be changed to that effect.

Mr. ROBINSON of Arkansas. Mr. President, I hope that no motion to postpone will be made. I hope the Senator from Alabama will withhold the making of such a motion and that we may enter into an agreement of the nature of that proposed by the Senator from Oregon. The matter has been discussed at very great length. I have much sympathy with some of the suggestions made yesterday by the Senator from Alabama [Mr. HEFLIN] that a conclusion ought to be reached. I think the Senate will be ready to vote by the time the hour is reached as proposed by the Senator from Oregon.

The VICE PRESIDENT. Is there objection to the proposed unanimous-consent agreement?

Mr. DILL. Mr. President, does not the Senator think that 15 minutes is a rather short limitation? Senators have occupied hours on the subject, and some of us who have not spoken would hardly like to be limited to 15 minutes.

The VICE PRESIDENT. The limitation would not apply until 4 o'clock p. m.

Mr. ROBINSON of Arkansas. I think that with no limitation in effect until 4 o'clock, perhaps 15 minutes thereafter would be a reasonable limitation.

Mr. DILL. I have not any objection if I can speak before 4 o'clock; but if it is 4 o'clock before I can get the floor I do not want to agree to this proposal.

Mr. WALSH of Montana. Mr. President, allow me to make the suggestion that the proposed unanimous-consent agreement be modified so as to provide that until 4 o'clock to-day no Senator shall speak longer than 30 minutes.

Mr. DILL. I shall object to that proposal.

Mr. WALSH of Montana. Will the Senator from Washington suggest some limitation on debate between now and 4 o'clock?

Mr. DILL. I do not think that would be quite fair. This is a question of national importance. The issue interests the entire country. Some of us have had considerable interest in it. I may say that I made the only speech against the confirmation of Mr. Smith that was made on the floor of the Senate. I have made some study of the whole question. I do not know who wants to speak and I do not know whether the time will be taken up until 4 o'clock or not. For my part I do not care to consent to the proposal at this time.

Mr. ROBINSON of Arkansas. May I suggest to the Senator from Oregon a modification of his proposal which I am satisfied will secure a vote before the end of the present calendar day? I think that action ought to be taken, because some Senators who are here to-day, and would like to vote on this motion, will not be here to-morrow. That is within my knowledge. I suggest to the Senator that he ask unanimous consent that before the end of the present calendar day the final vote be taken on the pending motion and all amendments thereto. That will leave the limitation open, with the assurance that the matter will be disposed of before the end of the day.

Mr. McNARY. Mr. President, I am willing to modify the request in that way.

Mr. HEFLIN. Mr. President, if such an agreement can be reached, and we can dispose of this matter to-day, so that we can proceed with legislative business, I will not object.

Mr. McNARY. Mr. President, the suggestion of the Senator from Arkansas seems to be a very happy one and, if adopted, would afford an agreeable solution.

Mr. BORAH. Then, Mr. President, let us put some limitation on the calendar day. We do not want to stay here all night.

Mr. ROBINSON of Arkansas. We do not have to stay here later than midnight; the calendar day expires at midnight.

Mr. BORAH. I do not care to stay here until midnight on this proposition. We can just as well vote at 7 o'clock as we can at 12 o'clock midnight.

Mr. ROBINSON of Arkansas. I am willing to vote at 6 o'clock, so far as I am concerned, but other Senators object.

Mr. McNARY. In order to meet the criticism expressed by the Senator from Washington, it is my intention to suggest that unlimited debate proceed until 5 o'clock, the limitation of 15 minutes to apply after 5 o'clock, and a vote to be taken not later than 7 o'clock.

The VICE PRESIDENT. Is there objection?

Mr. DILL. What is the request?

Mr. NORRIS. I should like to hear the request.

Mr. McNARY. I desire to propose a unanimous-consent agreement conformable to the suggestion made by the able Senator from Arkansas, and I ask the Secretary to state the proposed agreement.

The VICE PRESIDENT. The Senator from Oregon modifies his unanimous-consent request, and the Secretary will report the request as modified.

The Chief Clerk read as follows:

Ordered, by unanimous consent, that after the hour of 5 o'clock p. m. to-day no Senator shall speak more than once nor longer than 15 minutes upon the motions of the Senator from Montana [Mr. WALSH] to request the President of the United States to return to the Senate the notifications of the confirmation of the nominations of George Otis Smith, Marcel Garsaud, and Claude L. Draper, respectively, to be members of the Federal Power Commission, and that at not later than 7 o'clock p. m. to-day the Senate shall proceed without further debate to vote upon the said motions.

Mr. McNARY. Mr. President, that is not the plan at all. I meant to modify the request by embodying the suggestion of the Senator from Arkansas [Mr. ROBINSON] that we vote during the calendar day.

Mr. NORRIS. Mr. President, I want to call the attention of the Senate, of the Chair, and of the clerk to the fact—the Senator from Montana has already once called attention to it—that in the unanimous-consent agreement as proposed the motion is not correctly stated.

Mr. ROBINSON of Arkansas. The proposed unanimous-consent agreement should embrace both the motions to reconsider and the motions to request the President to return the notifications.

Mr. NORRIS. The motion pending is as the Senator from Montana made it.

Mr. BROOKHART. Mr. President, there are three separate motions in one, and there is some confusion as to that. Some Senators have asked me if we would vote on them all at once or on each one separately. From the manner in which the proposed agreement has been stated we can not tell in which way it would be done.

Mr. NORRIS. The Senator from Montana made the motion; there is the record of it; that is the pending motion. Why is not that put in the proposed unanimous-consent agreement?

The VICE PRESIDENT. The Chair is advised that the proposed unanimous-consent agreement does say "motions."

Mr. NORRIS. Yes; but it does not state the motion correctly. The motion of the Senator from Montana was that the vote by which the nomination of Mr. Smith and the two other commissioners was confirmed be reconsidered, and that the President be requested to return the papers to the Senate.

Mr. McNARY. Mr. President—

Mr. GEORGE. A parliamentary inquiry.

The VICE PRESIDENT. The Senator from Georgia will state it.

Mr. GEORGE. Is it the view of the Chair that the motions are separate and distinct?

The VICE PRESIDENT. That is the opinion of the Chair; and also that the motion requesting the return of the papers shall be first submitted.

Mr. GEORGE. That motion takes precedence.

The VICE PRESIDENT. That is the present judgment of the Chair.

Mr. WALSH of Montana. I gathered from some of the newspapers that that was the attitude of the Chair with respect to this matter, but before the Chair rules I desire to be heard, because I take a contrary view.

Mr. ROBINSON of Arkansas. That need not interfere with a unanimous-consent agreement.

Mr. WALSH of Montana. I trust that that will not be injected here to embarrass the proposed agreement.

The VICE PRESIDENT. Let the Senate be in order. The Chair is unable to hear what the Senator said.

Mr. WALSH of Montana. The Senator from Arkansas very properly observed that that is not a matter which is before the Senate at the present time.

The VICE PRESIDENT. That is true.

Mr. WALSH of Montana. I trust it will not be allowed to embarrass the request for unanimous consent.

Mr. JOHNSON. Mr. President, may I suggest to the Senator from Montana that the matter will be before the Senate if the unanimous-consent agreement shall be entered into, because we shall have agreed that the vote will be taken upon one part of the motion—

Mr. ROBINSON of Arkansas. Will the Senator pardon me?

The VICE PRESIDENT. Does the Senator from California yield to the Senator from Arkansas?

Mr. JOHNSON. Yes.

Mr. ROBINSON of Arkansas. I made no such proposition. I expressly stated that my suggestion for the unanimous-consent request was that a vote be taken during the calendar day on the motions of the Senator from Montana to reconsider the respective votes by which the nominations were confirmed and also upon the motions requesting the President to return the respective notifications.

Mr. JOHNSON. Yes; and that is the appropriate way in which the unanimous-consent agreement should be phrased.

Mr. ROBINSON of Arkansas. That is the request the Senator from Oregon is trying to submit, if he can get the opportunity.

Mr. JOHNSON. No; the unanimous-consent agreement recites quite the reverse.

Mr. ROBINSON of Arkansas. But the Senator from Oregon called attention to the fact that that was not the unanimous-consent agreement for which he is now asking.

Mr. JOHNSON. He was referring to the other terms of the unanimous-consent agreement. Now the Chair says, as I understood him—I may be in error as to that—that in his view the first thing that must be voted upon by the Senate will be the question of the recall of the papers. Am I in error about that?

The VICE PRESIDENT. That is the statement the Chair made.

Mr. JOHNSON. Very well. Then let me call to the Senator's attention the fact that the unanimous-consent agreement so recites and the Chair so holds. If we agree to the unanimous-consent agreement, then—

Mr. WALSH of Montana. In that form.

Mr. JOHNSON. In that form—

Mr. ROBINSON of Arkansas. But no such unanimous-consent agreement is being proposed.

Mr. JOHNSON. Oh, yes; it is proposed.

Mr. McNARY. Mr. President, may I—

Mr. ROBINSON of Arkansas. If I may ever make myself understood to the Senator from California, the fact is that the clerk read a proposed unanimous-consent agreement which the Senator from Oregon [Mr. McNARY] did not submit and does not propose. He now proposes, if he can get the opportunity to do so, to submit the request that I suggested, which is that before the end of the calendar day the Senate agree to vote on the motions of the Senator from Montana [Mr. WALSH] to reconsider the respective votes by which the confirmations were made and upon the motions requesting the President to return the respective notifications. If that be agreed to, the question as to precedence will be threshed out and determined, either by the Presiding Officer or by the Senate upon an appeal from the decision of the Presiding Officer.

Mr. JOHNSON. Of course, that cures the present situation; there is not any doubt about that; and it was that to which I addressed myself, and to which I think the Senator from Montana was speaking.

Mr. McNARY. Mr. President—

Mr. COUZENS. Mr. President, we might have the regular order until the proposed unanimous-consent agreement can be put into proper form. Therefore I object. I also object to the Senate running until midnight to-night. We might just as well stop discussion until the agreement can be put in a form which will be acceptable.

The VICE PRESIDENT. The Senator from Michigan objects.

Mr. McNARY. Mr. President, I wish to state—and I want the Senator from Michigan to hear me—that as soon as the proposal is reduced to proper form I shall then renew my effort to obtain unanimous consent.

Mr. BROUSSARD obtained the floor.

Mr. HEFLIN. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator from Alabama will state his parliamentary inquiry.

Mr. HEFLIN. Will it be in order now to make a motion to postpone further consideration of this question until after 5 o'clock to-day?

The VICE PRESIDENT. Such a motion would be in order.

Mr. HEFLIN. I make that motion, Mr. President, if we can not reach a unanimous-consent agreement.

Mr. BROUSSARD. Mr. President, I should like to proceed.

The VICE PRESIDENT. The Senator may make that motion as soon as he can get recognition for that purpose. The Senator from Louisiana has the floor and does not yield for that purpose, as the Chair understands.

Mr. HEFLIN. Very well.

Mr. BROUSSARD. Mr. President, some days ago the attention of the Senate was called to the fact that the CONGRESSIONAL RECORD of the proceedings of December 20, 1930, failed to show that the Presiding Officer had made the announcement from the chair to the effect that the President would be notified of the confirmation of Mr. Garsaud. In order that all three of the nominations may be on the same footing and in order to be accurate, I ask that an extract from the Journal of December 20, showing that such a statement was made from the chair, may be printed in the RECORD.

The VICE PRESIDENT. Is there objection? The Chair hears none, and the minutes will be inserted in the RECORD.

The extract from the Journal is as follows:

Mr. BROUSSARD obtained the floor and addressed the Senate for a time on the pending question.

After Mr. BROUSSARD had concluded his remarks—

The PRESIDING OFFICER (Mr. Fess in the chair) stated the pending question, which was as follows: Shall the Senate advise and consent to the appointment of Marcel Garsaud to be a member of the Federal Power Commission?

On the question of agreeing thereto, the yeas and nays were demanded by Mr. NORRIS, and the demand being supported by one-fifth of the Senators present, the roll was called, resulting in 42 Senators voting in the affirmative and 14 Senators voting in the negative, as follows:

Yeas—42: Barkley, Broussard, Bulkley, Capper, Caraway, Carey, Couzens, Davis, Fess, George, Gillett, Glenn, Goff, Goldsborough, Hale, Harris, Hastings, Hawes, Hayden, Johnson, Jones, Kendrick, McNary, Moses, Odell, Pittman, Ransdell, Robinson of Indiana, Sheppard, Shortridge, Simmons, Smoot, Steiwer, Thomas of Idaho, Thomas of Oklahoma, Townsend, Tydings, Vandenberg, Wagner, Walcott, Walsh of Montana, and Watson.

Nays—14: Blaine, Borah, Brookhart, Cutting, Dill, Frazier, Heflin, Howell, La Follette, McGill, McKellar, Norris, Nye, and Wheeler.

Not voting—39: Ashurst, Bingham, Black, Blease, Bratton, Brock, Connally, Copeland, Dale, Deneen, Fletcher, Glass, Gould, Harrison, Hatfield, Hebert, Kean, Keyes, King, McMaster, Metcalf, Morrison, Morrow, Norbeck, Patterson, Phipps, Pine, Reed, Robinson of Arkansas, Schall, Shipstead, Smith, Steck, Stephens, Swanson, Trammell, Walsh of Massachusetts, Waterman, and Williamson.

So it was—

Resolved, That the Senate advise and consent to the appointment of Marcel Garsaud to be a member of the Federal Power Commission.

Ordered, That the foregoing resolution of confirmation be forwarded to the President of the United States.

Mr. BROUSSARD. Mr. President, since Monday, when the motions of the Senator from Montana were offered in the Senate, the issue involved has taken various complexions. I dare say that if the vote had been taken on Monday, im-

mediately after the making of that motion, the Senators would have felt called upon to vote on the issue which was presented by the motion to the effect that these three commissioners had performed officially an act which was disapproved by the Senate, and therefore the Senate was seeking to displace them or to remove them by this method.

By the end of Monday the matter took another phase, namely, whether or not the Senate, by having notified the President, had waived its right to reconsider this nomination. On the following day it shifted again, until we found yesterday that the issue now seems to be the purely academic question of whether or not the constitutional right of the Senate to frame such a rule as we have is to be disregarded in such a case when challenged by friends of the administration. I have personal knowledge of the fact that many of those who are called upon to vote to-day, due to the change of this issue, have changed their opinions as to what they should do under the circumstances.

We are now confronted purely with an academic question as to whether or not the Senate has the right to reconsider these confirmations after the President was notified, and after the officials, having received their commissions, qualified and proceed to perform their official functions.

Of course, these constitutional arguments are very illuminating to most of us. We have had the opportunity of hearing from the best constitutional lawyers in this Chamber, both pro and con; but I ask the Members of the Senate what that has to do with the removal or the recall of officials duly inducted into office, against whom acts are charged not concerned with responsibility in framing the rules of the Senate or the Constitution of the United States?

In order that I may later bring this matter to its proper basis for consideration as I view it, I desire to meet the charges made that these three commissioners acted in a sort of vindictive way or were influenced by some sinister motive in taking the action that they did take. I for one, having had the opportunity of conversation with at least one of those members who has been known to me for many, many years, and whose veracity, honesty, and truthfulness no man has ever questioned, wish to lay the facts before the Senate on the background of the facts which confronted them when they took the action that they took.

It will be recalled that the old Power Commission, consisting of three members of the President's Cabinet, who had no time to devote to this special duty and who had therefore delegated the functions of the commission to subordinate executive officials, had become very unpopular, especially among those in States that have water-power development facilities, or prospective development. The condition was not so well known to me, because I do not live in a State that has the possibility of water-power development; but the protests and the dissatisfaction resulting from the actions of the old Power Commission, including, so far as I know, all those interested in finding fault with the old Power Commission, were such that there was a demand here for the creation of a power commission that might devote its entire time to the consideration of these public questions; and it was understood that the people of the United States would then hold the new commission entirely responsible for its actions.

The conditions which existed prior to the introduction of the act creating the present Power Commission were well known to the Committee on Interstate Commerce, and they investigated them very thoroughly before they made a report. It was the actions of the old commission, there derelictions and misjudgments and lack of action, which had brought about a realization that we had to have a new Power Commission.

In April, 1930, a report was made which I desire to read again, because it is so fundamental, and so much in line with what this new commission conceived it to be their duty to do, that I think we can not too often refer to this report. It was made on April 11, 1930, by the Interstate Commerce Committee to the Senate of the United States.

Mind you, extensive hearings had been held. It was found that the three members of the President's Cabinet

had not the time to devote to the determination of these great, momentous public questions, and that they had found it necessary to delegate the discharge of those duties and the determination of public questions and the granting of permits to these subordinate executive officials. Having made the examination which they did make, here is the report. I read on page 2:

The intent and purpose of the bill is described very accurately in the title. It is a bill to reorganize the Federal Power Commission without adding to the existing authority of the commission.

In the hearings held by your committee under authority of Resolution 80, and which hearings were related to this bill, the necessity for this bill was shown. The condition within the Federal Power Commission should make this bill an emergency matter, and it is the hope of your committee that action can be taken as early as possible.

Undoubtedly, when the Federal water-power legislation was adopted, there was little realization of the problems and work which would develop. The Power Commission was constituted of the Secretaries of Interior, War, and Agriculture, and an executive secretary was appointed to handle the details of the work. It is shown conclusively by the evidence presented that the Secretaries of the three departments have been so burdened with the tasks of their immediate departments that they have not had the time necessary for the work of the commission.

The net result of this situation is that practically all the work of the commission has devolved upon the executive secretary, and regardless of what the causes of the present conditions are, the facts are that the present conditions are very bad. Only serious charges were made before your committee against the executive secretary by employees of the commission and countercharges were made by the executive secretary. No one can doubt after hearing the evidence that a lack of harmony exists within the commission and the work has suffered thereby. These charges have induced an atmosphere of suspicion until it has become imperative that Congress act to appoint a full-time commission which will have the opportunity and the authority to right the existing situation and to permit the carrying out of the water power act. Once the full-time commission is appointed, responsibility can be placed upon its members and there can be no reason for failure to act.

And so it is, Mr. President. The rest of the report presents a situation for the consideration of the Senate of the United States, the relief of which required emergency action.

Immediately after the report of this bill, which is the present law, the Senate considered it emergency legislation, and enacted it. It was approved on June 23, 1930. Immediately upon approving this bill the President of the United States, following out the suggestions based on the investigations of the Interstate Commerce Committee, sent here the names of five commissioners. These names were submitted to the Interstate Commerce Committee, and were, as I understand, unanimously approved.

Mr. WHEELER. Oh, no, Mr. President.

Mr. BROUSSARD. Were they not? I desire to be corrected if I am wrong; but, at any rate, they were ordered favorably reported. I was mistaken about the matter of unanimity. I never heard it challenged before; but the Senator is a member of the committee and I suppose knows better than I.

These nominations were pending at the time we took up the London treaty, which displaced everything else; and the Senate took its recess last summer without considering the nominations. Just before the Congress reconvened the President sent back these nominations, and they again went to the Interstate Commerce Committee, and were again reported favorably. In the debates here, when the question of confirmation was considered, it was urged time and time again that there was necessity for immediate organization, based upon the fact that because of the disclosures before the Interstate Commerce Committee the old Water Power Commission was rendered practically useless, and was rendering no service at all.

These commissioners were confirmed, I think two on the 18th or 19th of December and three on the 20th of December, 1930. The Congress was then about to recess for the holidays. These members being confirmed, some of them having important business connections at home determined to take the oath of office before returning to their homes to wind up their personal business. I know such was the case with the commissioner from Louisiana, who was engaged in

a very large private engineering practice. After three of the members had taken the oath of office and were ready to go home for the holidays, it was called to their attention that three of them having taken the oath, under the act creating the Water Power Commission the commission was organized and was responsible for anything pertaining to the conduct of the office by the personnel still continuing their qualification under the old commission.

Mr. President, when their attention was called to the fact that three of them had, by the independent act of taking the oath of office, really organized the commission, a new situation was created. I do not know anything about the other members of the commission, but I do know something about the member from Louisiana, who came to me after the protests came out in the newspapers against the action which had been taken the day before. After three of them had qualified no meeting was required for the purpose of organization, one of the nominees having been designated as chairman of the commission. Then, reviewing the reasons which moved the Congress to abolish the old Water Power Commission, all of which were based upon the actions and conduct of the three executive subordinates in that department, as reported by committees to the Senate of the United States after investigation, the commissioners, about to leave for home, were advised that anything these three subordinate executives might do would place some responsibility upon them, and after discussing the matter they issued a notice to all three of the executive subordinate officials and another one to the civil-service employees.

These three commissioners felt that they were responsible for anything these three executive subordinates might do; at any rate, they wanted to be relieved of any responsibility, or to negative any legality which any action of theirs might pretend to carry to the public. Their only concern was to prevent the consideration of cases and the rendition of opinions and permits and decrees by these three subordinate executive officials to whom the three Cabinet members had delegated this power.

They served this notice, not in order to defy the people of the United States, not to defy the Senate of the United States, not to defy anybody at all, but they were merely carrying out, as they conceived, the purpose of the Congress of the United States in declaring that a confused condition existed in the commission, where two sides were trying to convict each other of corrupt practices. They were trying to carry out the purpose of Congress in creating this new commission, to relieve the situation, and to stop any further actions on the part of these subordinate executives which might further involve the very questions in dispute in greater confusion. I may say, and I can truthfully say, so far as the one gentleman whom I know is concerned, to whom I talked the day after, that it never crossed his mind that he was doing anything except to carry out that which Senators desired to be carried out in order to relieve the situation instantly.

Mr. President, I wish to insert in the RECORD a copy of the minutes of the first meeting of the power commissioners held after the meeting of the 22d, when Mr. McNinch returned to Washington and Mr. Williamson sent him his proxy, when the three commissioners discovered that they had stirred up a storm in this matter, and that there were a great many things charged against them which never had entered their minds.

Mr. President, these commissioners realized, as they had on the 22d, that, as there were only three members in the city, they had no right to continue these three subordinate executives in office. They wished to consult the entire membership of the commission, two of whom had gone home. Those in the city immediately tried to get the others back, and on the 2d day of January Mr. McNinch came to Washington, and I have here a copy of the official minutes of the two meetings, at the first of which these employees were notified that under the act they were advised that they were ipso facto removed from that employment, and then, as soon as they were in a position to consult the other members, they issued a notice, which I shall read. It has been

read before, but I want to read it again. On the 2d of January this resolution was adopted, after quoting from the minutes of the previous meeting:

Now, therefore, be it

Resolved by the Federal Power Commission, That all employees of the old Power Commission, without exception, are hereby invited to file their respective applications for appointment by this commission, such applications to be considered in due course along with all other applications for appointment filed with the commission.

I ask that these minutes may be published in the RECORD. The VICE PRESIDENT. Is there objection?

There being no objection, the matter was ordered to be printed in the RECORD, as follows:

JANUARY 2, 1931.

Whereas, on December 22, 1930, Chairman Smith and Commissioners Garsaud and Draper took their oaths of office and thereby reorganized the Power Commission under the statute of June 23, 1930, and the commission was advised that, immediately upon such reorganization, the employment of all employees of the old Federal Power Commission was thereby automatically terminated; and

Whereas, in order that routine commission matters might be carried on, the commission, as then constituted, requested the Civil Service Commission to authorize the temporary employment for not exceeding 30 days of such employees as were under civil service; and

Whereas, to all other employees Chairman Smith sent the following communication, dated December 23, 1930:

"In connection with the organization of the Federal Power Commission as provided in the act of June 23, 1930, it is understood that your services automatically terminated yesterday with the going out of existence of the commission under which you have been employed.

"In line with the authority contained in the above-mentioned act, the commission will proceed later to appoint such officers as are authorized and necessary in the execution of its functions.

"By order of the commission."

And

Whereas, in deference to the absence of Commissioners Williamson and McNinch, all personnel matters (excepting only the authority of the chairman to arrange for an administrative assistant and disbursing clerk, if necessary) were, as appears from the minutes of the said meeting of the commission, to be "considered pending until the commission can act with full attendance": Now, therefore, be it

Resolved by the Federal Power Commission, That all employees of the old Power Commission, without exception, are hereby invited to file their respective applications for appointment by this commission, such applications to be considered in due course along with all other applications for appointment filed with the commission; be it further

Resolved, That the commission believes it would be just, and hereby declares its desire and intention, if lawful, to make a reasonable allowance for leave with pay for such of the employees of the old commission, if any, as may not be appointed by this commission.

The foregoing resolution was adopted unanimously by the Federal Power Commission at its meeting on January 2, 1931, Commissioner McNinch voting for Commissioner Williamson by proxy.

Mr. BROUSSARD. Mr. President, it has been asserted here on the floor, and I understand it to be a fact, that Mr. Bonner, following the adoption of this resolution, signified his unwillingness to reenter the service, while Mr. King and Mr. Russell have both filed applications to be reinstated in that department.

Mr. President, it has often been asked on this floor, What was the emergency? Gentlemen have certain theories about this controversy, which has existed for several years in that commission, and they draw the conclusion that inasmuch as Mr. King and Mr. Russell received a notice similar to that sent to Mr. Bonner, the commission is under the influence of the Power Trust.

Nothing was ever based upon a more unsound foundation. In fact, that is a mere presumption. What have these new commissioners to do with the controversy existing these many months, and possibly years, in that department? When they are indicted on this floor, the junior Senator from Montana [Mr. WHEELER] reviews what he conceives to be the unfair actions of the old Power Commission. So far as I am concerned, not living in a State near any water-power facilities, it was all news to me; I had no particular interest in it, and never took any interest in it.

Not one of the men whose nomination is now sought to be reconsidered is a lawyer, but being advised that the em-

ployees of the commission automatically went out of office when the old Power Commission was legislated out, that fact forms the basis of the assumption that they were discharging men on both sides of the controversy because the Power Trust wanted them to do so. If that were the fact, why was it that on the 2d of January, at the very earliest possible time when all five of the members could get together, these very men whose discharge is complained of were not only invited to reapply but some of them actually filed applications prior to the making of the motion by the senior Senator from Montana [Mr. WALSH].

Mr. President, I think that anyone who will consult the act creating this commission, although he may disagree with the advice given to the three members by a lawyer, will nevertheless be fair enough to admit that that advice given to those commissioners has some basis, not only a basis in the language and the spirit of the act but a basis in view of the history of the legislation, and a basis also in decisions which conform to that advice.

We have here a situation where three laymen are appointed to very responsible positions on a commission, with the advice and consent of the Senate, where there is bitterness and clashing on the part of the subordinates, who take opposite sides in a controversy in that department, charging each other with corruption, and these commissioners who independently have taken the oath of office are told, "Your commission under the law is organized," and, pending the return of the other two members, desiring to terminate any official power among the three subordinate executives, they took the action complained of for the protection of the public, carrying out the recommendations of the Senate, carrying out the spirit of the legislation, and then busying themselves to get the other two commissioners back so as to permit these men to apply and to give their applications consideration, together with those of such other employees as they saw proper to consider.

Mr. BLACK. Mr. President, will the Senator object to an interruption?

Mr. BROUSSARD. Certainly not.

Mr. BLACK. I desire to ask the Senator a question for information. I may have been misinformed, but as I understood it the chairman of the commission issued a public statement to the effect that these men were let out of the service in order to preserve harmony and to prevent bitterness.

Mr. BROUSSARD. I am very glad the Senator brought that out. I have put the minutes into the RECORD. In whatever statement Mr. Smith may have issued, and in the letter he wrote to the senior Senator from Montana [Mr. WALSH], and in a letter I have heard he wrote to another Senator, he was speaking for himself, and he said so—"I, for one." There was no action on the part of the other members of the commission. The other men did not know about the matter until they were shown these reports. As a matter of fact, I may say to the Senator that so far as the member from Louisiana is concerned I think at that time he had never heard of Russell or King.

Mr. BLACK. Mr. President, if the Senator will pardon me, the point I wanted to bring out was this: If there is a different attitude on the part of the gentleman who was appointed from Louisiana from that of the chairman of the commission I think the Senate is entitled to know it before Senators reach a conclusion as to how they will vote.

Mr. BROUSSARD. I do not know what their attitude is, except from the minutes I have just offered for the RECORD, from which it appears these gentlemen have been asked to file their applications, to be considered in connection with all other applications.

Mr. BLACK. I understand that. Of course, that was some days after the controversy had occurred. It is possible, I may say to the Senator in all fairness, for that to be attributed to a desire to escape from the result of having issued the other statement and taken the other course. The point I desire to get clear in my mind is this: The chairman of the commission has issued a statement that

the men were discharged not because of any rule of law but in order to preserve harmony and in order that the work of the commission might proceed. If the gentleman from Louisiana who was appointed did not concur and does not concur in that view, and has never had any idea of discharging these men for that reason, does not the Senator think it would be proper for the Senate to be informed of that fact so that we can consider the matter from a different standpoint of facts?

Mr. BROUSSARD. I would not question the fact—and I know it is a fact—that Mr. Smith made those statements and said, "I for one." The Senator is trying to get me to answer for the gentleman from Louisiana. I do not know what his attitude would be toward the men except that he has always thought that inasmuch as there was confusion at the commission, they ought to consider anybody and everybody and select the very best men they could in getting the places filled. I could not say, and I would not say if I were in his place—and I do not know whether he would say or not—what I was going to do or what I would do. What he expects to do and what everybody who knows his public record expects him to do is to select the very best men available.

Mr. BLACK. I wanted to get clearly in my mind whether the Senator was leaving the inference from his conversation with the gentleman from Louisiana—Mr. Garsaud, I believe is the name—that that gentleman did not concur in the statement which was issued by Mr. Smith, and whether or not the Senator is authorized to say that Mr. Garsaud did not intend to discharge the men on the ground that there was lack of harmony.

Mr. BROUSSARD. I say that Mr. Garsaud believed and still believes that automatically the men went out of office with the old commission. He was so advised legally.

Mr. BLACK. Of course the chairman's viewpoint indicated that it was not on account of automatic severance from the service, but because he wanted to get rid of the men. I think there is no doubt about that.

Mr. BROUSSARD. I take it the resolutions, which the other gentlemen confirmed and which I have submitted here, disclose the reasons. Mr. Smith may have had some other reasons in mind. As a matter of fact, the other four gentlemen did not know Mr. King or Mr. Russell and did not know anything about them. They were simply told that three members having qualified, there was automatically a new commission, and that nothing should be left as a basis for anything under the new commission to occur while the three members were at home during the holidays, and that Mr. Smith served the notice, which they thought he ought to do, for their own protection and for the protection of the public until the other two members should join them. They did not feel that they should select these subordinate employees without consulting all five of the members.

Mr. BLACK. Then am I to understand that as far as Mr. Garsaud is concerned he disclaims any action on the basis which was given out to the public by Mr. Smith as a reason for the action being taken?

Mr. BROUSSARD. When Mr. Garsaud spoke to me the day after the action was taken he never mentioned anything along the lines stated by Mr. Smith at all. He simply mentioned the facts which I recited a little while ago.

Mr. President, we have drifted now to a legal discussion, and the issue now is whether we are going to vote to accept the supposed challenge of the Chief Executive to refuse to return the papers. Complaint is made that the two employees have been treated unjustly and unfairly because the three commissioners carried out what they understood to be their duty under the law; that they are now on trial here for something which they did in the discharge of their official duties, something which under their construction of the law and the advice given to them they thought mandatory to do. They are not being tried for that. The vote here will show whether a Senator wants to meet the President on this presumed challenge and fight it out. What can be more unfair? I submit to the Senate, what can be more unfair than to take a vote upon this question as between the con-

stitutional rights of the Senate and the constitutional rights of the President of the United States? And yet that is what the vote will disclose. The merits of the motion pending will not be reflected in the vote at all, and still all of this discussion is based upon the fact that two subordinate officials were notified that under the law they automatically went out of office. As soon as the whole commission could be gotten together the resolution which they had intended originally to pass was passed.

Where is the unfairness? Which is more unfair—for three commissioners advised by legal authorities that their duty was to do that which they did, or for the Senate to take exception to that official action on their part and by this indirect means attempt to impeach them and permit the question to drift into a constitutional debate where the commissioners are forgotten altogether, where the justice of their claim will not be considered at all, but where Senators, as some have told me, are saying, "I expected to vote against the recall of the papers. But I understand now that the friends of the President challenge the Senate," and on that issue will be the vote. That is a poor way to try three commissioners. They serve notice on the three commissioners that they have done a minor thing compared with what the Senate shall do if it does this thing.

I do not care about the constitutional debate here. I know that what is complained of on the part of the three commissioners is because of their official action as members of the new Power Commission. Of course, we did not in court cases already decided have the rules of the Senate to pass on the consideration of that question, but I have always believed that when a man has qualified for an office and that which is charged against him is an act performed subsequent to his confirmation, it involves not a reconsideration of the confirmation, but involves impeachment proceedings or removal by the President.

The other question may be discussed here for years and years, as all constitutional questions have been. Wherever we find a question involving the constitutional rights of the Chief Executive, we find on the one side of it, in the inferior courts before the question reaches the Supreme Court, as many decisions against as for it until it is finally determined by the Supreme Court. I mean that there are many decisions each way in the inferior courts, but we find it finally decided by the Supreme Court. These questions continue and continue. We are asked now to request the return of the papers relating to three members of the commission because of an act committed subsequent to their qualification, organization, and action officially. I think on that question alone there will be a difference of opinion irrespective of what is involved; but if we are to settle that; it is most unfair on the part of the Senate to make the three commissioners the victims, the sacrifice for determining the question. Let us deal fairly with the three commissioners, fairly according to the facts in the case, and then let us determine the constitutional rights of the Senate and the President without involving the three commissioners and sacrificing them and humiliating them on the ground that legally they have merely suspended three of the employees of a former commission.

Mr. LA FOLLETTE obtained the floor.

Mr. HEFLIN. Mr. President, will the Senator yield to enable me to suggest the absence of a quorum?

The VICE PRESIDENT. Does the Senator from Wisconsin yield for that purpose?

Mr. LA FOLLETTE. No; I do not yield for the purpose.

The VICE PRESIDENT. The Senator from Wisconsin declines to yield.

THE UNEMPLOYMENT SITUATION

As in legislative session,

Mr. LA FOLLETTE. Mr. President, I shall discuss a matter which I consider to be of utmost importance to the country.

On December 15 last I presented to the Senate telegrams coming from the secretaries of central labor bodies in various cities in the United States giving information as to the conditions in those communities concerning unemployment

and the resultant suffering. On December 20 I presented to the Senate replies which had been received up to that date to a questionnaire which I sent out to the mayors of cities of 5,000 and over west of the Allegheny Mountains. Following that I presented to the Senate a resolution requesting the Appropriations Committee to call before it Judge John Barton Payne, chairman of the American Red Cross; Col. Arthur Woods, chairman of the President's Emergency Committee for Employment; General Brown, Chief of Engineers; Colonel Wetmore, Acting Supervising Architect, of the Treasury Department; and Mr. MacDonald, Chief of the Bureau of Public Roads, in order that there might be placed upon the record a statement from these gentlemen as to the conditions which they found in the country concerning unemployment and as to the effectiveness of the administration program for its relief.

Already the Senators from Arkansas [Mr. ROBINSON and Mr. CARAWAY] have presented evidence concerning the distress in their State based upon information which they have received. I shall not, therefore, in the course of my remarks discuss the testimony of Judge Payne.

It is significant in considering the testimony of Colonel Woods to find that although but a little more than a month has elapsed since the President of the United States informed the Congress in his message that the number of unemployed in the country was in the neighborhood of 3,500,000, on last Wednesday Colonel Woods informed the Appropriations Committee of the Senate that he estimated the unemployment in the country to be between 4,000,000 and 5,000,000 persons. An examination of his testimony, however, will conclusively demonstrate that this is merely an estimate, and a very rough estimate. In response to one question Colonel Woods stated:

We have not made a survey to attempt to estimate the amount of unemployment.

Again he said:

We do not know just what is the extent of unemployment.

Considering the immediate future, Colonel Woods said:

We hope distress is going to be avoided; we hope every community is so organized as to be able to take care of any cases of distress in its neighborhood. I have confidence that that is the situation.

In response to a question of the Senator from New York [Mr. COPELAND], Colonel Woods testified to the effect that in no instance had there been brought to his attention a community in this country which was unable to provide for the relief of distress due to unemployment.

Mr. President, I desire to read excerpts from certain replies which I have received from the mayors of cities concerning the conditions existing in their communities. It will be noted that these replies come, for the most part, from the smaller communities, but they are sufficiently scattered over the country, I believe, to reflect a condition which is to-day all too prevalent.

I read first from a letter from Mr. F. W. Latta, mayor of Dyersburg, Tenn., who says:

Condition of the poor is desperate in this community. Hundreds are applying daily to relief agency, which is impotent to care for the situation. There is no work for those who would gladly do it. Men who never lacked before are imploring aid for families, which can not be met. I join in with the cry of desperate men that something be done at once to help towns and counties to care for these people.

The mayor of Globe, Ariz., Al S. Floyd, says:

In closing, may I express the hope that your questionnaire will inaugurate a movement that will result in the relief of this awful condition of want and suffering among the poor and unemployed.

The mayor of Oskaloosa, Iowa, Mr. R. K. Davis, says:

I wish to state that it is said that Iowa is in the best economic condition of any State in the Union. If that is true, I pity some of the rest of them. Practically all labor is at a standstill. Plenty of food and shelter for everyone if funds could be obtained to pay for them.

The mayor of Jeffersonville, Ind., Mr. Allen W. Jacobs, has this to say:

These times demand united action from the Government itself. The situation is as bad as war, in effect, because men and women

are in need and their children are suffering more than they. They are not getting enough to eat, and if winter sets in bad there will be many people who will die because they will not have sufficient strength to resist illness. Death and destruction may await us on all sides if we sit idly by and let these people go hungry.

These unemployed people are victims of an industrial let down and can not get work, but they must be fed somehow, and the Government should do its part to help out. There is too much delay now by those at Washington.

From the letter of the secretary of the Chamber of Commerce of Greenville, Miss., Mrs. Coburn H. Williams, I quote the following:

To show you the conditions since the 5th of December, the applicants for relief at the Red Cross office have been 450, and the total cases handled in 1929 was 540. Now not all of these have received help, but there is quite a number who have, and, with the winter just coming on, and the Government work and most of the local lumber mills shutting down their operations, and our road program held up for an indefinite period, it seems that relief is going to have to come from the Government as most of the local citizens can't keep on giving, as most business people have been hard hit.

Here is a letter from Mr. George P. C. Newton, chairman of the local relief committee of Iron Mountain, Mich. He states:

The worst condition to date in this area has more to do with lower operating time in largest industry in the community—automotive plant—with many employees during past few months getting only \$42 per month—that is, six days at \$7 per day.

The mayor pro tempore of Raton, N. Mex., Mr. O. E. Maulsby, says:

Coal mining being the chief industry, the demand for coal has so decreased that some of the mines have closed; others working part time—8 to 11 days per month—giving the mine laborers very little to distribute to the welfare of the community after necessary living expenses are taken care of.

Mr. M. M. Vaughn, mayor of Nebraska City, Nebr., writes as follows:

The general situation is practically the same as elsewhere, many out of employment, and conditions of unrest among those out of employment, and very little to do with, which is sure to create discontent among those in this condition, and, of course, to relieve, their sustenance must come from those who have, in order to create a better feeling among this class that are needy and are in want of the necessities of life.

Doris M. Cangney, secretary of the Family Welfare Association of the city of Lima, Ohio, has this to say:

Our factories, as a whole, are running on a minimum number and a part-time basis. The men employed are earning from \$12 to \$16 a week. This is not sufficient income to maintain a minimum standard of living, and our families are suffering from malnutrition, lack of warm clothing, and, in many cases, are living in unsanitary houses. Our board of health is unable to cope with the situation where the landlord is asking a family to move for nonpayment of rent, and where, due to bursted water pipes, the family have no water supply, and where, due to insufficient or no income, the family have no money on which to move, and the landlord refuses to repair the plumbing.

A letter from J. W. Neal, health officer of Bellaire, Ohio, has this to say:

Due to our community being in the center of the bituminous-coal region, which is operating on a very low scale of about two days a week, with wages at the price which is below living wage, and no mills working, make industrial conditions throughout the valley deplorable and necessary for those having even such employment charges on the city and county as well.

Mr. James J. Thomas, mayor of Columbus, Ohio, says:

Industry reducing steadily its hours of work and the number employed. Families suffering from prolonged malnutrition due to low rationing. Evictions increasing.

The mayor of Elyria, Ohio, James A. Hewitt, says:

Elyria is a city of 25,600, and the general situation is very bad, but I believe the citizens are awake to the seriousness of the situation and can furnish the necessary temporary relief; but by reason of unemployment many of our citizens are becoming hopelessly involved in debt, and this, of course, affects the retailers in a serious way, also owners of property. I believe that the Federal Government should at once appropriate money for construction purposes in order to provide our citizens with work.

Mr. T. E. Thompson, city manager of Shawnee, Okla., has this to say:

Our situation is very acute and the problems are becoming more burdensome every day. We are depending upon our Federal

Government to rise to the situation and restore confidence to our people to such an extent as affording opportunity for work which will be again available in our Nation for all men who honestly desire to render service.

The mayor of Terrell, Tex., says:

The general situation is very depressing. It is hard to see how many will be able to make it through the winter.

The mayor of Logan, Utah, Mr. A. G. Lundstrom, says:

Logan City and the citizens of this community have practically reached the peak of their ability to meet with this unemployment situation, and the real burden of this difficulty is increasing, and will increase for the next four months. We certainly hope that the Federal Government will make appropriations immediately available to help the State and cities meet this serious emergency.

Mr. Delbert Miller, mayor of the city of West Allis, Mich., says:

The unemployment situation is undermining the morale, if not the morals, of thousands of otherwise good citizens, many of whom have lost their homes, or are likely to in the near future.

Mr. President, up to this time replies have been received from the mayors of 303 cities and towns of about 5,000 population and over to whom the questionnaire to which I have referred was addressed by the Senator from Massachusetts [Mr. WALSH] and myself. They are from 41 States in the Union. The bulk of the replies come from Ohio, Indiana, Illinois, Michigan, Wisconsin, Massachusetts, and Connecticut. The large majority of the replies come from mayors of cities and towns of less than 100,000 population; and the majority of these, in turn, are from cities and towns of less than 50,000.

It is perfectly obvious that because there is less concentration of wealth in the smaller cities, there are fewer persons of large means in those communities to whom an appeal may be addressed in raising funds for relieving the misery of the victims of the unemployment situation. It is in these smaller places—as a perusal in detail of these letters, which I shall subsequently print in connection with my remarks, will show to any Senator who will read them—that the suffering has reached its peak. They also indicate that these are the communities where they are having the greatest difficulty in raising money in order to relieve the actual distress and suffering. The majority of these mayors report a great increase in the appeals for help in the year 1930 over the year 1929, and a majority of them also report that they expect a further increase during the early months of this year.

It will be noted by any Senator who will study these letters that the appeals for relief seem to be out of proportion to the number of unemployed that are reported. However, it seems to me that the explanation of this situation is contained in the answers to the questionnaires, in that many of them mention the fact that there is a great deal of part-time employment in their communities. Evidently the part-time employment is so meager that many of the men who are listed as being employed are receiving so small a weekly or monthly wage that they and their families are also dependent upon charity to prevent privation and want.

The picture given by the replies to this questionnaire shows that the suffering due to the part-time employment is almost as great as that due to total unemployment. Senators will find in these letters statements showing net weekly or monthly incomes totally inadequate to support a single individual, let alone a family and dependents. Apparently during the first part of the industrial depression of 1930 these part-time wages, eked out by savings accounts, helped the wage earner to meet the situation; but, as I have previously pointed out, this is the second, not the first, winter of unemployment. Judging from the situation reflected by the replies to these questionnaires, the funds of the part-time workers are now exhausted, and men and women are finding it necessary to appeal to the charity organizations in their communities for assistance to keep their children and their families from starvation.

Another factor that is causing distress in the smaller communities is that the wage earners out of work and owning property are finding it difficult to meet their tax payments. Likewise, according to the reports of these mayors,

the general business depression has apparently affected the prompt payment of taxes. Taxes are difficult to collect, and therefore the city governments are having difficulty in appropriating any additional funds.

Some of the mayors in their replies call attention to the fact that the collections for charity made by various organizations in their towns are very much smaller now than a year ago, despite the fact that in many instances the burden has been increased from 100 to 500 per cent. It is evident from the picture given by the replies to this questionnaire that the normally prosperous middle class has been very hard hit by this depression and is unable to meet these demands for increased donations to the charitable organizations.

The number of mayors who, in response to this questionnaire, have unqualifiedly declared themselves in favor of Federal assistance, is proof that the crisis in many of the smaller places is acute. In many places the mayors report that they have never before faced the problem of caring for unemployed workers.

Mr. President, I proceed to a more detailed summary of some of these replies by States.

OHIO

Twenty-four cities in the State of Ohio, with a total population of 1,141,928, show 12.2 per cent of total unemployment, in addition to many workers on part time. In this calculation the cities of Cincinnati, Dayton, and Cleveland are not included. The answer to the questionnaire from Cincinnati shows 20,000 totally unemployed, which is 13.2 per cent of the employable population. In addition to this, Cincinnati states that there are 25,000 workers on part time. The figures given for the city of Dayton show 14.9 per cent totally unemployed, while the figures from the mayor of Cleveland show 11.5 per cent totally unemployed. The mayor of this, the largest city in Ohio, is frank to state in closing his letter, where he records the various activities to relieve the suffering of the unemployed, that—

I have no doubt that there are many people who are really suffering in spite of the best efforts of our charitable agencies.

It should be borne in mind in passing that this statement is made from one of the cities where great wealth is concentrated, and in which, if private sources are sufficient to meet this emergency, sufficient funds should be forthcoming.

INDIANA

Twenty-two cities in the State of Indiana, with a total population of 361,000, show 14.4 per cent total unemployment. The principal city of the State, Indianapolis, is not included in the 22 cities I have just mentioned. It has a population of 364,000. It shows a total unemployment of 21 per cent as of November 30, 1930; and its public-relief department shows nearly double the number of families being provided with help as compared with a year ago.

The mayor of Indianapolis states definitely that his figures are based on the report of a fact-finding committee. Some of the mayors of the smaller Indiana cities picture the situation as very desperate. The mayor of Brazil says that the city, as well as the private agencies, are unable to meet the heavy demands caused by unemployment and depression.

The mayor of Frankfort writes:

I have been in this community for more than 50 years, and conditions are the worst right now that I have known. Evidence of the increase in crime as well as want is already evident, and the prospects for the remainder of the winter are bad.

The mayor of Jeffersonville, Ind., says:

These times demand united action from the Government itself.

He says:

The Courier-Journal of Louisville states that some Member of the United States Senate said that the Red Cross was taking care of most of the unemployed. That may be true in some cities, but I know that they are doing nothing here, to my knowledge.

ILLINOIS

Seventeen cities in Illinois, answering the questionnaire, show an average of 11.4 per cent total unemployment. This does not include Chicago, where, according to Mayor Thomp-

son, there are 250,000 unemployed, or 22 per cent of the employable population of that city. In this State there are again reported many workers on part time, both in mines and factories.

WISCONSIN

Twenty-one cities in Wisconsin, including Milwaukee, having a total population of 1,000,000 in round numbers, show total unemployment of 13 per cent. There is also evident in the reports from some of the Wisconsin cities the condition of short-time employment, to which I have already referred. The city of Kenosha, for example, reports that the normal pay roll of Kenosha factories carries 14,000 employees. At the present time there are about 7,500 working. Some of these men who are listed as employed are working very short hours.

The mayor of the city of Superior says:

It seems to me that the President is wrong in opposing any increase in Federal taxes required and necessary in order to help meet the present situation. He certainly must know that every municipality has had to increase its tax rate this year because of the hard times and unemployment; and he ought to know that general property has been carrying about as heavy a burden as it can carry.

MICHIGAN

Seventeen cities in Michigan in this report, with a population of 369,000, show a total unemployment of 9.9 per cent. Detroit, taken separately, shows 18.6 per cent. Again there is found a very bad condition existing among the partially employed.

MASSACHUSETTS

Twenty cities reporting from the Bay State, with a population of 1,000,000 in round numbers, show 13.9 per cent totally unemployed. In Massachusetts one finds the partially employed problem looming large. One of the several mayors reporting on this situation, the chief executive of the city of Waltham, says:

The Waltham Watch Co. had a regular force of 2,800 last June. Now, during the Christmas season, when it should be rushing and working overtime, only about 200 hands are employed, some of them on part time.

CONNECTICUT

Nine cities in Connecticut, with a total population of 524,000, show a total unemployment of 8.3 per cent. Partial employment is dealt with by some of the mayors. The mayor of Ansonia, which is a city of only 19,000, records 3,000 on part time.

PENNSYLVANIA

Eight cities reporting in Pennsylvania, with a total population of 500,000, show 9.8 per cent total unemployment, with many on part time. The city of Erie, for instance, reports 4,500 workers employed only two to three days a week.

NEW YORK

Seven cities in New York, not including New York City, reporting on total unemployment, with a population of 1,100,000, including the city of Buffalo, show total unemployment figures of 16.9 per cent. Buffalo reports spending in all probability at least \$1,000,000 over and above the average for the last five years for relief purposes.

NEW JERSEY

Six cities in New Jersey, with a total population of 320,000, showed 12.5 per cent of total unemployment. The mayor of Hackensack states:

We find that many of our unemployed of all classes are having trouble keeping up payments on mortgages, building loans, rents, and so forth. People who have never yet called for relief are forced to do so at the present time.

IOWA

Eleven cities in the State of Iowa, with a total population of 240,000, show 8.1 per cent total unemployment, with many on part time.

KANSAS

In Kansas seven cities, with a total population of 225,000, show 12 per cent of unemployment.

CALIFORNIA

Eleven cities in California, including San Francisco, having a total population of 1,000,000 show 10 per cent of total unemployment.

NORTH CAROLINA

In North Carolina four cities, with a total population of 128,000, show 9.9 per cent totally unemployed.

SOUTH CAROLINA

Three cities in South Carolina, Anderson, Denton, and Columbia, show figures of total unemployment of 16.5 per cent.

MAINE

Three cities in Maine sending in unemployment figures make a very bad showing, notwithstanding that one of them, Auburn, shows a very small percentage. The city of Biddeford, with only 17,000 population, estimates that they have over 4,000 unemployed. The city of Bath, with a population of less than 10,000, reports 500 totally unemployed.

MINNESOTA

Seven cities in the State of Minnesota, with a total population of 161,000, show total unemployment of 10 per cent.

NEBRASKA

Two cities in Nebraska, with a population of 17,000, report 8 per cent totally unemployed. But Omaha, with a population of 214,000, reports unemployment figures which show nearly 30 per cent of totally unemployed.

OKLAHOMA

Five cities in Oklahoma, with a total population of 75,000, report 12 per cent totally unemployed.

ARKANSAS

In Arkansas, North Little Rock, with a population of 19,000, reports 46 per cent of total unemployment. For Smith, with a population of 31,000, has 15 per cent, and Van Buren, with a population of 5,000, has 6.7 per cent.

COLORADO

Two cities in Colorado reporting on the unemployed, with a total population of 38,000, show 8 per cent totally unemployed.

MONTANA

Four cities in Montana, with a population of 54,000, show 11 per cent totally unemployed.

NORTH DAKOTA

Four cities in North Dakota, with a total population of 58,000, show 10 per cent total unemployment.

TEXAS

Six cities in Texas, with a population of 243,000, show 10 per cent of total unemployment.

GEORGIA

Four cities in Georgia, with a total population of 429,000, show 8.9 per cent total unemployment.

VIRGINIA

Two industrial cities reporting from Virginia are Petersburg, which shows 11 per cent of total unemployment, and Danville, showing 40 per cent. The last-mentioned place, of course, is where the textile strike is in progress.

VERMONT

Two cities reporting from Vermont show 13.6 per cent total unemployment.

WEST VIRGINIA

The two cities reporting from West Virginia show 9.1 per cent total unemployment.

NEW HAMPSHIRE

Five cities in New Hampshire, with a total population of 166,000, show total unemployment of 7.5 per cent.

FLORIDA

The only city reporting from Florida is Miami, where the total unemployment is shown to be 8.1 per cent.

TENNESSEE

In Tennessee seven cities, with a total population of 443,000, show 7 per cent of total unemployment, but also report many additional workers on part time.

KENTUCKY

Four cities in Kentucky, with a total population of 348,000, show total unemployment figures of 12.8 per cent.

LOUISIANA

Four cities in Louisiana, with a population of 129,000, show total unemployment of 19 per cent.

MISSOURI

Three cities in Missouri, with a total population of only 22,000, show 6 per cent of unemployment.

ALABAMA

Two cities in Alabama, small ones, with a population of 22,000, show 13 per cent total unemployment.

OREGON

Six cities in Oregon reporting, with a total population of 62,000, show total unemployment of 14 per cent.

UTAH

Three cities in Utah, with a total population of 65,000, show 8 per cent of total unemployment.

RHODE ISLAND

The city of Providence, in Rhode Island, reports unemployment figures for the entire State, whose total population is 687,000. The estimate is 30,000 totally unemployed, which is 13.5 per cent of the employable population.

NEW MEXICO

Only one city from New Mexico has reported. From this report I have already read to the Senate a paragraph. The city of Raton, with a population of 6,000, shows 24.6 per cent of unemployment.

ARIZONA

The city of Globe, Ariz., the only city reporting, with a population of 7,157, shows 13.4 per cent total unemployment.

MISSISSIPPI

Only one city reported from Mississippi—Corinth, with a population of 6,220—showing 24 per cent total unemployment.

Mr. President, of these 303 letters to which I have referred, 175 were unqualifiedly in favor of direct Federal relief. Forty-one were in favor of it with qualifications. Forty-four were opposed, and 14 reported their communities as not needing any assistance. Twenty-nine did not express an opinion in response to this question.

These cities have a population, under the new census, of 16,024,611. They show a percentage of total unemployment of 15.8 per cent.

It should be noted, of course, that the number of unemployed in the larger cities, such as Chicago and Detroit, bring these figures up considerably. These population figures are taken from the census report of cities just completed, and the basis for finding the percentages of unemployment is that announced by the Department of Labor, that 1 out of 3 in the population is employable.

Mr. President, it has been assumed by many people who have discussed this question that the larger centers are in a position to take care of distress resulting from unemployment because of their greater resources of wealth. I want to call the attention of the Senate, however, to an article in the New York Times of January 7:

Seward Prosser, chairman of the emergency employment committee, and officers of leading private welfare agencies called upon Mayor Walker at city hall yesterday, informed him that the unemployment situation was acute and that distress was increasing. They declared that the voluntary relief agencies had budgeted all the funds possible to alleviate the situation and were unable to meet the increased demands upon them.

A possible appropriation by the city of \$10,000,000 to cope with the situation was discussed when the mayor learned that the private welfare organizations could not supply relief or jobs to all those in need.

It should be remembered that it has become necessary to appeal to the city government for assistance despite the fact that the citizens of that great Commonwealth have already raised \$8,000,000 for relief purposes in this emergency.

The director of the city free employment bureau declared that the unemployment situation was "desperate" and that the demand for jobs was increasing rather than decreasing.

For the 5,000 men and women who jammed the rooms of the bureau so that it was difficult to make lanes to the clerks who announced the available jobs there were but 304 placements yesterday. These, said Mr. Rybicki, were for jobs lasting an hour to a week, with very few permanent positions.

Announcement by a clerk that two men were wanted to move lumber—"one hour's work for 50 cents"—was followed by a rush toward the desk suggestive of a football scrimmage.

"Remember that these jobs are only for an hour," the clerk cried, but the men kept shoving each other in their eagerness to be selected until 50 had presented themselves.

This incident, according to Mr. Rybicki, was typical of the desperate condition of many of the applicants. He has 60,000 names on file of men and women seeking work and receives daily many personal letters sent to him and to Frank Taylor, commissioner of public welfare.

Here are a few excerpts from them. These are letters written by people in this city, which has a greater concentration of wealth than any other community in the United States. We have been told again and again that New York could raise ample funds from private contributions to relieve distress.

J. S., 40 years old, an electrician with 8 children, 6 girls and 2 boys, wrote that he had been out of work six months. His children need shoes and clothing.

A. H. wrote that he was starving, with rent, gas, and electricity bills unpaid, and was facing eviction. "I know I am lost if you do not help me out," he said. "I am going about with poor, torn shoes. Please open up your heart and do something for me and my sick wife."

C. P., a girl who spoke for her five brothers and sisters, asked Mr. Rybicki to get her father a job.

Mrs. E. S., whose husband has just left the hospital, said she was destitute and had three children to care for.

A young Porto Rican wrote: "Please put me to work as soon as possible, because I'm in the worst condition of life. My father is sick in bed and my mother abroad needs my help. I am penniless and I need work. I'm almost naked and am suffering from hunger and cold."

Mrs. J. C. wrote: "I don't know from day to day where the next meal is to come from. I have seven small children. My gas and electric is going to be turned off. I have no money to pay anything or buy anything."

Mr. President, I have cited this story as indicative of conditions which are existing in New York City. It is evident from the statement of the chairman, Mr. Prosser, they are unable to cope with the situation, and they have already appealed to the mayor of the city for a \$10,000,000 additional appropriation. Of course the mayor expresses sympathy, but questions whether the city has legal authority to give aid. In the meantime, these men and women and their dependents are in dire need.

The letters which I have presented to the Senate and the situation in the city of New York as reported in the New York Times indicate that many citizens in these various communities have responded to meet the emergency. The various agencies have endeavored to meet the situation. This evidence demonstrates, however, that there are want and suffering in these communities to-day, and that despite the fact that these communities have strained every nerve to meet the situation, they are unable to cope with it.

Mr. President, what have we done about the situation? What has the administration done about it? An examination of the testimony of the chairman of the President's Emergency Committee for Employment before the Committee on Appropriations shows that he believes work should be provided rather than relief. With that I am in hearty accord. But a review of the testimony will convince any Senator that the program which we have adopted at the behest of the present administration is so woefully inadequate to meet the situation and to provide work for the unemployed that it is tragic. The principal contribution to the expansion of employment in the immediate future is the widely heralded \$115,000,000 public works expansion appropriation which we passed prior to the adjournment for the Christmas recess. Perhaps that sum of money sounds large to individuals reading it in the newspapers, but when it comes to dealing with this question it is so woefully inadequate that it can not fail to blast the hopes of the people of the country.

An examination of the testimony will disclose that none of the representatives of the various departments who are to supervise the expenditure of the bulk of this money knew exactly what the funds at their disposal would accomplish toward providing work. Some of them admitted that in framing the administration program for unemployment through the expansion of public works little thought had been given to the actual number of men to be afforded

employment or to the centers in which this critical situation existed. Apparently all they sought to do was to establish how much money they could readily spend during the present year, without any regard for the number of men who would be afforded employment under the program. Pressed by Senators on the committee, however, they sought to estimate how many men would be afforded work as a result of the program. I think it is fair to say that their estimates were certainly as optimistic as possible.

How many men will find work as the result of the passage of the so-called unemployment relief program of the administration? Mr. MacDonald, Chief of the Bureau of Public Roads, estimated that the number of additional men employed would reach only 100,000. He appeared uncertain of this number and on occasion spoke of 50,000 as being the number that would be employed. But assuming that his figure of 100,000 is correct, I invite the attention of the Senate to the fact that the employment for 100,000 persons on road construction will come not wholly as a part of Federal expenditures but because of the expenditure of money by the States. In other words, Mr. President, it is a joint project between the States and the Federal Government.

According to General Brown the \$22,500,000 for rivers and harbors will provide employment for 45,000 men for six months or the equipment of employment for 22,500 men for 12 months.

The third item in the administration unemployment-relief program is public buildings for 1931. While Colonel Wetmore arrives at a total of \$138,000,000 for 1931, it developed that approximately \$50,000,000 of the amount will go for the purchase of land and therefore will not afford any relief to the unemployed. The remaining \$85,000,000, according to Colonel Wetmore, Acting Supervising Architect, will give direct employment to only 8,500 men. It must be remembered in this connection that construction was already under way during 1930. There is no explanation in the testimony as to how much of an increase the 1931 expenditures for public buildings represent in the employment of labor, but it seems to me it is fair to say that not more than 5,000 additional men will be given employment.

If we take these statements at their face value, not discounting them at all on the basis that they may be too optimistic, we find that the administration's program for unemployment relief will amount to the direct employment of 130,000 men. Of course, it must be admitted that this activity will somewhat stimulate employment in the industries furnishing materials for the work involved. According to Colonel Wetmore's estimate, for every man employed on a public-building project five would be provided with work indirectly. Even if this estimate is sound—and he gave no supporting data—the total for public buildings amounts to only 53,000 men, and at least one-third of this number must have been employed already in 1930, leaving the total expansion for public buildings in employment only 35,000 men.

Colonel Woods, chairman of the President's Emergency Employment Commission, has estimated that there are 5,000,000 unemployed and that the total number will increase during the next two months. It is therefore evident that the estimates submitted by the representatives of the executive departments, that only 130,000 workers would be directly affected by the administration's relief program, prove the program to be miserably inadequate.

Mr. President, I submit that a review of the testimony giving the details of the activities on behalf of the administration to meet this critical economic situation shows that the administration lacks either the will or the courage to meet the present emergency. The testimony, however, merely reinforces the evidence which has already existed concerning the failure of the administration to meet its responsibilities in this crisis. While men and women and children have suffered privation, want, and hardship, the administration has attempted to minimize the situation at the outset and then when the seriousness of the problem became evident it has utterly failed to provide an adequate program to meet the situation.

President Hoover, in his inaugural address, said:

The larger purpose of our economic thought should be to establish more firmly stability and security of business and employment.

He failed to keep this pledge, however, when three months after he had delivered that message to Congress, in response to a request from the president of the Iowa State Federation of Labor that he call a conference to consider measures of permanent relief against the growth of unemployment, he stated that he—

Hoped that we will be able to take it up when some of the momentarily pressing problems of the administration are out of the way.

He had done nothing concerning the problem, despite the efforts of the junior Senator from New York [Mr. WAGNER] to direct attention to it when, after another three months, the stock-market crash came and the Nation suffered a panic.

What followed? A series of conferences in which the leaders of various groups of industry were called together at Washington. The net result of these conferences was the issuance of statements that the situation was "well in hand" and that the various industries were going to spend such enormous sums of money that there would be work for everyone.

Mr. President, a few months after those conferences had taken place and those optimistic statements were issued it became perfectly evident that the unemployment situation was growing more critical. However, on the 8th day of March, 1930, the President of the United States still maintained his attitude of attempting to minimize the situation. Instead of any action looking to a solution of the problem he issued a statement to the country in which he said:

All the evidences indicate that the worst effects of the crash upon employment will have been passed within the next 60 days, with the amelioration of seasonal unemployment, the gaining strength of other forces, and continued cooperation of the many agencies actively cooperating with the Government to restore business and to relieve distress.

Following that statement the President of the United States allowed the unemployment problem to grow worse for another seven months without taking any action save the slight expansion of public works. The situation, however, was called to his attention. He was waited on, according to an article in the Nation of January 14, by a committee. One of the members of the committee was Mr. Amos Pinchot, of New York City. According to his account, he was a member of a delegation "representing a committee of misguided nobodies made up mainly of bishops, bank presidents, manufacturers, and the like." They called to wait upon the President in an attempt to direct his attention to the seriousness of the unemployment situation and to urge upon him a tremendous public-works program in order that the situation might be met. I quote from Mr. Pinchot's article:

Mr. Hoover listened with the scant patience and restrained exasperation of a man who knew every angle of the situation far better than we who had presumed to advise him. Whereupon he launched into a clear, forcible, and convincing speech, in which he proved to us that we were wrong on every point. Unemployment, he said, was being shamefully exaggerated. Its peak had been reached and passed. The tide had turned.

This, mind you, was on the 4th day of June, 1930.

The Census and Labor Department reports, and other information to which, as he reminded us, he had better access than we, would presently show that things were quite different from what we feared. Yes; we were now to drift peacefully, if slowly, back to good times. With calm confidence he spoke of the results that were being gained through the conference he had called of great business leaders and of their fine response to his appeal not to curtail the volume of their activities. He showed us, in authoritative style, that every agency of both the Federal and State Governments was working at top capacity to relieve the situation. "Gentlemen," he said, "you have come six weeks too late." Here the great engineer was right again. Our chairman for just about that time had been trying to get an appointment with him.

Mr. President, I ask to have this article incorporated in the appendix to my remarks.

The VICE PRESIDENT. Without objection, it is so ordered.

(The matter referred to will be found as Exhibit B at the end of Mr. LA FOLLETTE'S remarks.)

Mr. LA FOLLETTE. Mr. President, the administration has followed the same course in meeting the situation created by the drought that it has followed in its attitude toward the unemployment problem. On August 5 the President took official cognizance of the drought situation. He said:

There can be no doubt as to its most serious character in many localities and that unless relieved there will be real suffering. No stone will be left unturned by the Federal Government in giving assistance to local authorities.

On August 8 he said:

Our first duty is to assure our suffering countrymen that this will be done, that their courage and spirit shall be maintained, and our second duty is to assure an effective organization for its consummation.

The Senate attempted to relieve the starvation in the drought areas, but the President has left "no stone unturned" to prevent the Congress from affording relief to the sufferers in the drought-stricken areas.

Now, what is the situation? The program of the administration for relief has been passed. We find upon analysis that it is totally inadequate to make a dent in the unemployment crisis. We find that the administration is unalterably opposed to any direct Federal relief to the men and women and the children who are the innocent victims of this economic disaster. We find likewise, as has been demonstrated here by the two Senators from Arkansas, that the administration has refused to permit the Congress to give any direct relief even in the form of loans for the purchase of food for those who are suffering in the drought-stricken areas.

Mr. President, what is Congress going to do about it? Are we a coordinate branch of this Government or are we a subservient branch of the Government? Let us see what it is that we are to do; let us reflect upon the program which the steering committee has suggested shall occupy the attention of Congress while the country is experiencing the worst economic crisis in its history. We have passed the administration's woefully inadequate program for the expansion of public works. The influence and power of the administration have thus far prevented assistance—even in the form of food for the starving in the drought-stricken areas.

The administration's program for meeting the greatest economic crisis in our history has been enacted. But upon analysis President Hoover's program is clearly futile. Is the Senate willing to share in the responsibility for this wholly inadequate program? What answer will it make to the country in its hour of need? The steering committee has recommended a program for the coming weeks. Of what does it consist?

On January 7 the steering committee recommended that as soon as we get through with the so-called maternity bill we shall take up Senate bill 3344, a bill supplementing the national prohibition act for the District of Columbia. Following our disposition of that, we are to proceed to the consideration of House bill 6603, an act to provide a shorter work week for postal employees, and for other purposes. Mr. President, that is the only bill on the steering committee's program that has the slightest relation to the unemployment situation. Its passage might, indeed, result in the Federal Government setting a good example to industry by adopting a shorter work week.

When we get through with that we are going to take up a bill granting increase of pensions to certain soldiers and sailors of the Civil War. Naturally, Mr. President, they are in need of assistance, and I have supported the passage of this bill; but I point out that in this crisis we should give our attention as well to a constructive program.

Following that, the steering committee recommends that we take up a bill for Philippine independence. I am in favor

of the passage of that bill, but I submit that to devote several weeks of debate to the question of Philippine independence in the face of the situation which now confronts the country is to demonstrate that the Congress is utterly bankrupt in its leadership.

Mr. CUTTING. Mr. President—

The VICE PRESIDENT. Does the Senator from Wisconsin yield to the Senator from New Mexico?

Mr. LA FOLLETTE. I yield.

Mr. CUTTING. I should like to state at this point in the Senator's remarks that neither the Senator from Missouri [Mr. HAWES] nor myself, who are the authors of the Philippine bill, made any request to have it put on the preferred calendar at the present time. How it got on I leave to the Senator's judgment.

Mr. LA FOLLETTE. Mr. President, the Congress, like Nero, is fiddling while Rome burns.

The leadership in Congress, if any exists, should devote itself to the development of a program which will adequately meet this situation. First of all, obviously, we should see that food and clothing are provided for the drought sufferers. To throw the entire burden upon the Red Cross and to permit conditions to develop such as have been pictured here by the Senators from Arkansas is criminal negligence on the part of Congress.

Second, I think that the evidence which I have submitted to the Senate to-day and upon two previous occasions when I have spoken shows overwhelmingly that prompt action should be taken upon some measure to give direct relief to the unemployed and their dependents. The bill introduced by the junior Senator from Massachusetts [Mr. WALSH] which provides for a 50-50 appropriation by the Federal Government to relieve the cities of the excess burden which they have had to meet in providing relief for the unemployed, should be enacted, or we should pass a measure which would enable the Red Cross to meet the situation.

Third, Mr. President, our public works program for the next fiscal year should be expended. Let us not be caught again next winter in the situation in which we now find ourselves. Let us provide for a sufficiently large public-building program so that during the next winter appropriations for public works and the plans and specifications and contracts will be ready so that the Federal Government may step in to relieve adequately the situation.

Fourth, Mr. President, some attempt should be made on the part of Congress to afford the means for the mobilization of the intelligence of industry and finance in order that it may be brought to bear upon the problem of solving the question of distribution, as it has been brought to bear during the last 10 years upon the problem of increasing the productivity of our present industrial organization. Unless we do that, Mr. President, economic conditions may be infinitely worse 12 months from now than to-day. We can not solve this problem through mergers. The recently announced plan for consolidation of the eastern railroads, as has been shown by the president of the Baltimore & Ohio Railroad Co., will create economies largely at the expense of the employees. Consolidations or mergers of the kind proposed will add to the number of unemployed rather than reduce it. To follow such leadership will bring about a permanent unemployment problem which will be, if permitted to run its course, greater than that which has afflicted Great Britain during the years since the World War.

The administration having failed to meet this crisis, Congress should devote its energies during the coming weeks to the enactment of a relief program and to the passage of constructive measures for the prevention of unemployment in the future. The time has come for the Congress to assert its leadership.

I ask permission, Mr. President, to print in the RECORD as a part of my remarks the letters to which I have referred, and I ask that they may be set up and printed in the same form as were similar letters which I had inserted in the RECORD of December 20.

The VICE PRESIDENT. Without objection, it is so ordered.

EXHIBIT A
ALABAMA
DOTHAN

DECEMBER 16, 1930.

HON. ROBERT M. LA FOLLETTE,
Washington, D. C.

DEAR SENATOR: Answering your letter of the 13th instant, I take pleasure in giving you the information requested as follows:

1. Approximately how many people are unemployed in your community?

Answer. We have approximately 500 unemployed in our community.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. The number of persons whom the city government is called upon to aid has increased 50 per cent over last year and two years ago.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. Our city has increased its appropriations to care for the poor about double the amount provided last year and two years ago.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. We estimate that the increase in number requiring relief during the winter months will be 50 per cent over last year.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. Any assistance from the Federal Government will materially help to extend relief to the needy of our city and lessen the burden on local taxpayers.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. The present local relief organizations are the Salvation Army, expending about \$4,000 per year; the child-welfare department, expending about \$2,000 per year locally; the local post of the American Legion, expending about \$500 per year; Masons and other fraternal organizations, expending about \$100 per year.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. I very highly favor the Federal Government appropriating a sum of money to share in this relief work for our city.

8. A brief statement of the general situation in your community.

Answer. Our city is about on an average with other cities in the agricultural sections of the country in the matter of unemployment. We have no large industries to absorb unemployment; and, on the other hand, we have no large industries to shutdown and thereby periodically flood the city with unemployment.

Thanking you in advance for any assistance you may be able to give in securing an appropriation from the Federal Government to assist us in our emergency relief work, I am,

Sincerely yours,

I. C. EZELL, Mayor.

TROY

DECEMBER 16, 1930.

HON. ROBERT M. LA FOLLETTE,
United States Senate, Washington, D. C.

DEAR SIR: Replying to your questionnaire of 13th:

1. Approximately how many people are unemployed in your community?

Answer. Would estimate the unemployed around 500 in this community.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. It has never been necessary for the city to aid unemployed before except in disasters, such as floods.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. Our city has had no appropriation in past, but the present situation will necessitate this.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. If present depression lasts much longer will increase considerably.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. The assistance of the Federal Government will become almost a necessity.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. Relief is now being extended by Red Cross, Community Chest, church organizations, service clubs, American Legion, and private donations.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. If the situation does not change I would favor Government appropriations to help relieve the situation.

8. A brief statement of the general situation in your community.

Answer. It has never been necessary to ask the city for help for relief of unemployed in this community before, but our city is in border of flood area of last year, have had three years of crop failure, and our county was in dry area. If present depression continues unemployment and want will increase.

Yours very truly,

WALTER WALTERS, Mayor.

ARIZONA
GLOBE

DECEMBER 20, 1930.

HON. ROBERT M. LA FOLLETTE, JR.,
United States Senate, Washington, D. C.

DEAR SIR: In reply to your communication of the 13th instant in regard to the present unemployment situation, and your request for certain information pertaining thereto, beg to advise as follows:

1. Approximately how many people are unemployed in your community?

Answer. Three hundred twenty-one.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. Fifty per cent.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. \$600 for 1928 and 1929; \$1,500 this year, and this will hardly take care of our needs.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. Fifty-one in 1929; 108 to date this year.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on the local taxpayer?

Answer. Yes.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. The American Red Cross. Approximately four times as many calls for relief over last year and two years ago.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. Yes.

8. A brief statement of the general situation in your community.

Answer. See attached letter from secretary of Gila County Welfare Board.

In closing, may I express the hope that your questionnaire will inaugurate a movement that will result in the relief of this awful condition of want and suffering among the poor and unemployed. It is the best plan that has come to my notice.

Very truly yours,

A. S. FLOYD, Mayor.

[Inclosure]

GILA COUNTY BOARD OF SUPERVISORS,
Globe, Ariz., December 19, 1930.

HON. ALFRED C. FLOYD,
Mayor, City of Globe, Ariz.

MY DEAR MR. FLOYD: In response to your request for a brief report of relief conditions in this community, I submit the following:

The giving of relief has increased 50 per cent over last year in the same period. Although there have been at least 200 families left this district for the cotton fields last July and August, we expect some of these to return when the cotton season is over, which will be in February, and then there will be further demands.

Through a careful survey of unemployed in the Globe-Miami district, there has been found to be 321 unemployed. This figure represents men who applied for work, not those sitting on band stand and courthouse steps who do not want work.

Not only is the work of our welfare department increasing daily because of the unemployment of our own residents but it is increasing in an alarming extent by the unemployed of the States of Oklahoma and Texas seeking work in the cotton fields of Maricopa County, drawn there, it is alleged, by widespread advertising of the Cotton Growers' Association for cotton pickers.

Daily we are paying out funds to have broken-down cars fixed, replacing worn-out tires, food and clothing to these people, both going to and returning from the cotton fields. Those who are returning claim that the wage schedule there is such that it is impossible to support themselves. Some are returning to their native States; others remaining to become county indigents and problems here. As a result our funds to care for these transients were depleted long ago. This is all in addition to the numerous demands made upon us by citizens of the county, which has increased almost 50 per cent so far this winter.

It would seem that if efforts could be made by the members of the State committees on unemployment toward discouraging the migration of the unemployed from other States to Arizona they would be doing a real service.

Trusting this is something toward the information desired, I am,

Respectfully,

ELLEN HARRISON.

CALIFORNIA

EL CENTRO, December 19, 1930.

HON. ROBERT M. LA FOLLETTE, JR.,
United States Senate, Washington, D. C.

DEAR SIR: Your letter of December 13 relative to the unemployment situation was referred to me for reply.

1. Approximately how many people are unemployed in your community?

Answer. We estimate the number of unemployed at about 700.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. This is probably more than twice the number we had a year ago and possibly three times the number two years ago.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. Heretofore the unemployed have been cared for by the charitable organizations, but it has become necessary for the city to assist in this work during the present year.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. The increase is difficult to determine, but probably an additional 50 per cent.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. Any assistance the Federal Government can give in providing work will give relief; for instance, the Federal Government has appropriated \$140,000 for a new post-office or Federal building. Anything that might be done to get this construction work under way immediately would be a help.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. Relief in the way of bread lines and lodging is furnished by the Salvation Army, the Red Cross, and some private individuals. The city is organizing to assist in this work.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. We do not favor Federal appropriation at this time. This city will probably be able to provide the necessary care for the present under existing conditions.

8. A brief statement of the general situation in your community.

Answer. Our situation geographically is attractive to idle or unemployed for the reason of the warm winter months. Our idle and unemployed are mostly from other States and usually drop out during the higher temperatures of the summer months.

Yours very sincerely,

PHILIP W. KNIGHTS, City Engineer.

EUREKA

DECEMBER 18, 1930.

ROBERT M. LA FOLLETTE, JR.,

United States Senate, Washington, D. C.

DEAR SIR: After making as complete a survey as possible in such a limited space of time on the unemployment situation in the city of Eureka, I submit the following answers to your query of December 13, 1930:

1. Approximately how many people are unemployed in your community?

Answer. There are approximately 500 unemployed registered in this city.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. The number of persons whom the city government is called upon to aid has increased about 50 per cent over last year and the year before.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. The city government has done nothing directly. The city has made no effort to aid the unemployed. A registration bureau has been started by the local branch of the Salvation Army and a committee of three composed of the mayor, the captain of the Salvation Army, and the secretary of the American Red Cross. These people have handled the situation almost entirely. Local citizens, charitably inclined, have been the ones who have maintained the soup kitchens and contributed financially to the Salvation Army.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. We figure on a 125 per cent increase during the winter months.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. It is very evident that aid from the Federal Government would help to extend relief, providing it is not put into the hands of local unscrupulous politicians.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. The American Red Cross reports that they have been giving room and board to unemployed single men, and groceries, rent, and clothes to families. The exact amount of expenditure is not obtainable at this time. There is an increase of about 60

per cent in their charitable work over last year and the year before last.

The Salvation Army is maintaining soup kitchens, rooming house for destitute men, and is carrying on the regular family relief as it has in the past. They are expending approximately \$600 per month to combat the present situation. It is approximately the same as last year and two years ago.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. It would be a great help to have Federal aid, provided the money would be handled under the proper supervision, but to turn over to local politicians to handle without proper check or rein upon them would be disastrous to any community.

8. A brief statement of the general situation in your community.

Answer. There are 500 idle men who would work and 60 per cent of them with dependents. Because of the lack of employment there is an unrest. Unfortunately, the lumber industries have seen the necessity of cutting wages several different times. Some of the companies have made two 10 per cent cuts and are contemplating a third cut of 7 per cent. The woolen mills have closed down indefinitely and some lumber companies plan to shut down. Compared with other communities of its size in the State of California, Eureka, Humboldt County, is in a little better condition financially and economically than any other city in the State.

Hoping this survey is satisfactory and will lead to betterment of the present conditions, I am,

Very truly yours,

EMILY L. JONES, Mayor.

MONTEREY

DECEMBER 30, 1930.

Senator ROBERT M. LA FOLLETTE, JR.,

Washington, D. C.

DEAR SENATOR LA FOLLETTE: Answering your communication of December 13 regarding economic conditions in our community, we are glad to answer your questionnaire as follows:

1. Approximately how many people are unemployed in your community?

Answer. The Monterey Peninsula, consisting of Monterey, Pacific Grove, Carmel, Seaside, and surrounding unincorporated territory, with a population of approximately 23,000, has about 175 unemployed men.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. The city governments of these communities have not been called upon to aid these unemployed persons.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. No increase.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. There will probably be an increase in the number requiring relief during the winter months of about 20 per cent over last year.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. The community has the situation well in hand, and we do not believe Federal assistance will be necessary.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. All funds for relief on the Monterey Peninsula are raised through the community chest. This year about \$23,000 has been raised, which is an increase of \$6,000 over what was raised last year and of \$5,000 over 1929.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. We do not favor the Federal Government appropriating funds to share with the city and State governments in relief work. We believe that all construction work that the Government is contemplating should be rushed and that as much work as possible should be made available as soon as practical.

8. A brief statement of the general situation in your community.

Answer. The State government of California has appropriated funds for emergency road camps. Men are employed to build roads by hand, using no machinery, and this has greatly relieved the unemployment situation in many of the communities in the State. There are two camps located near Monterey, one of the camps drawing its men from the cities and the other drawing men through the office of our local chamber of commerce. Men with the most dependents are given the first opportunity. At present the city camp has about 260 men employed, and the camp furnished by the local chamber of commerce has 180.

In checking over our records we find that, including the men themselves, 833 people are being cared for by this employment of 180 men.

The State government has other camps in different sections of the State which are doing much to relieve the unemployment here.

Trusting that this is the information you desire, I am,

Sincerely yours,

J. P. SANDHOLDT, Mayor.

NAPA

DECEMBER 19, 1930.

HON. ROBERT M. LA FOLLETTE,
United States Senate, Washington, D. C.

DEAR SENATOR: In reply to your inquiry which reached my office to-day, will state our people in this location have felt the depression the same as most every section in the world—as I believe it is world-wide.

Sir, may I say that our people are not looking for charity, they are looking for work and willing to work to support themselves and families.

Why in the world doesn't the United States Government release the work they have planned, start their building program at the navy yards, build their post offices, do their river and harbor work, build the Boulder Dam, build the national highways, and hundreds of other worth-while propositions? Start the whole building program that the Congress has been working on for the past four years and the whole United States will have good times again, as every line of industry will start to hum.

We urge our people to buy. Our unemployed must find employment so they can earn enough to buy!

It is up to our United States Senators and Congressmen to see that this building program is started at once and kept going until completed. Then, and not until then, will we have prosperity.

Yours very truly,

CHAS. GRADY,
Secretary-Manager Napa Chamber of Commerce.

DECEMBER 19, 1930.

ROBERT M. LA FOLLETTE,
United States Senate, Washington, D. C.

MY DEAR SENATOR: I have for reply your letter of December 13, and while your desire to help the suffering unemployed is commendable, I can not help but feel that except in extreme cases, which can be taken care of by local agencies, the method you propose is not desirable.

The American worker does not want charity; he wants a chance to earn his way. You can aid very materially in this connection by speeding up the Government building program. Cut out the usual red tape and start work on the Boulder Dam, the Government road-building program, river improvements, speed up the post-office building program.

This is the kind of emergency relief that is desirable. It's the kind of relief that every self-respecting citizen of this country wants.

Yours very truly,

HARRY GROSSMAN,
President Napa Chamber of Commerce.

ONTARIO

DECEMBER 17, 1930.

ROBERT M. LA FOLLETTE, JR.,
Chairman Committee on Manufactures,
United States Senate, Washington, D. C.

DEAR SIR: In reply to your inquiry of December 13, 1930:

There are about 500 unemployed persons in this community. The unemployed situation is about 50 per cent worse this year than last year.

We are increasing our expenditures about \$10,000 to help take care of the situation for the next two months.

Our greatest demand will be for the next 60 days, unless we get too great a call from people coming in from the east.

The Salvation Army and the local Welfare League is doing a great deal to help the situation.

Anything the Government can do at the present time will help to relieve the situation, and I am in favor of the Government doing all that they can.

If our representatives in Washington will just get down to business and do the things in a businesslike manner and forget political parties, they will have done a lot toward restoring confidence and things will naturally correct themselves.

Sincerely yours,

FRANCIS P. WILLIAMS, Mayor.

PASADENA

1. Approximately how many people are unemployed in your community?

Answer. Registrations show about 2,500.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. Number of dependents has increased about 23 per cent. County-tax money supplies aid.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. From \$100,721.51 to \$169,132.38; increase \$68,410.87.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. Depends on the amount of public work created.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on the local taxpayers?

Answer. No doubt it would.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. I have no way of knowing. No private agencies except Red Cross, Catholic Welfare and Mission, and Salvation Army giving relief.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. It may be necessary.

8. A brief statement of the general situation in your community.

Answer. The relief is well in hand—the tax money is still available, and intake for residents has not been limited.

PASADENA WELFARE BUREAU,
Pasadena, Calif., December 22, 1930.

HON. ROBERT M. LA FOLLETTE,
United States Senate, Washington, D. C.

DEAR SIR: With reference to the attached questionnaire, we would like to make the following explanations of our replies.

Question No. 4: If we have to depend on private concerns to furnish employment, the unemployment will probably not decrease, but as there are plans on foot for much public work, if this goes through the unemployment should decrease.

Question No. 6: This office is a branch of the Los Angeles County Welfare Department. There is no private associated charities. The Red Cross, Salvation Army, Catholic Welfare Bureau, Union Mission, all do relief work besides ourselves. We have no way of knowing how much they do. Our relief work is taken care of by county-tax money. The only thing the city contributes is office space, some salaries, cars, light, gas, etc.

If we can be of further service to you, please command us.

Very truly yours,

W. H. HOLLAND,
Superintendent Los Angeles County Charities.
By EMILY M. STREET,
General Secretary Pasadena Welfare Bureau.

POMONA

DECEMBER 19, 1930.

HON. ROBERT M. LA FOLLETTE, JR.,
United States Senate, Washington, D. C.

DEAR SENATOR: Replying to your questionnaire, just received:

1. Approximately how many people are unemployed in your community?

Answer. Probably around 500, possibly more. Many are only temporarily out of work. (Population 20,695.)

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. During the past several months practically double number aided in same period of last year.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. Calls for relief were fewer in 1929 than in 1928, but nearly twice as much has been spent by our organization for welfare this year as during 1929, and considerably more than in 1928.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. Probably from three to four times as many as during other months of the year.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. If properly handled with minimum expense and not so much red tape; yes.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. Through our welfare league and other agencies, we are handling the situation, I believe, in very good shape.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. With the State, yes, perhaps; with the city, no.

8. A brief statement of the general situation in your community.

Answer. More needy than usual, but not so much real need as presumed to be.

Very truly yours,

C. C. CAVES, Mayor.

RIVERSIDE

DECEMBER 19, 1930.

HON. ROBERT M. LA FOLLETTE, JR.,
United States Senate, Washington, D. C.

DEAR SENATOR: In reply to your letter of December 13, 1930, I am pleased to answer the questions, as follows:

1. Approximately how many people are unemployed in your community?

Answer. Between 300 and 400 people in this community are unemployed at the present time.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. The number of unemployed has increased about 50 per cent over that of last year and about the same amount over 1928.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. Our city government makes no appropriations for relief to the unemployed and the poor, but it is estimated that the county government will increase its appropriations about 30 per cent over last year.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. Local unemployment should not increase to any extent during the winter months.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. The assistance of the Federal Government will not affect the local situation.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. Private relief agencies expend about \$12,000 upon relief work during the year, and this will not increase to any extent this year as compared with previous years.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. There is no need for Federal appropriations to handle the unemployment situation and relief in this city.

8. A brief statement of the general situation in your community.

Answer. The city of Riverside is able to take care of its own people without Government assistance unless some emergency arises, when the American Red Cross will be called upon for assistance.

Very truly yours,

JOSEPH S. LONG, Mayor.

SAN DIEGO

DECEMBER 22, 1930.

HON. ROBERT M. LA FOLLETTE, JR.,
United States Senator, Washington, D. C.

MY DEAR SENATOR: This will acknowledge receipt of your letter of December 13, in which you propound eight questions, going into the unemployment situation in this city and county.

We have had a report prepared by the community chest of San Diego, which is herewith inclosed, and which answers six of the eight questions with the best information obtainable.

As to questions 2 and 3, I will answer them this way: The welfare commission covers the county of San Diego, including the city of San Diego, and the figures regarding welfare work are included in the answers to question 8.

Although no money has been spent directly for relief work by the city for over one year, we have planned our improvement projects so that everything possible could be done during the season of the year when unemployment would be the heaviest, and we are now carrying on such projects to the full extent of our ability. We are also operating a crew on special work in our city park, allowing men who are residents and have dependents to earn enough to at least provide food.

As Mr. Rainwater has said in his letter, our problem is not so much our own citizens as it is people flocking in from other sections. Our warm climate makes them feel that they can get by better here. We are pleased to furnish you this brief outline of the situation in San Diego and will be glad to follow with further facts, if you need them. We sympathize with the efforts that you are making to help in the relief of this widespread unemployment.

Very sincerely yours,

HARRY C. CLARK, Mayor.

COMMUNITY CHEST OF SAN DIEGO,
San Diego, Calif., December 18, 1930.

MAYOR H. C. CLARK,
City Hall, San Diego, Calif.

DEAR MAYOR CLARK: The following are answers to some of the questions in Senator LA FOLLETTE's letter. The other, I believe you are in better position to give exact information:

1. Approximately how many people are unemployed in your community?

Answer. The census figures give, as of April, 5,683 persons "without a job, able to work and looking for a job." The number now unemployed is perhaps twice this figure, judging by relief demands.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. Of local unemployed not a great increase. The problem here is vastly increased by those who have been laid off elsewhere coming to San Diego.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. Assistance from the Federal Government will extend relief to needy and will relieve local taxpayers, especially of part of the burden of caring for unemployed indigents who come from elsewhere to San Diego in that condition.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. The following is a comparative statement of relief by private and public agencies in San Diego over the last two years:

Relief extended by public and private agencies, San Diego, Calif.

	1928-29	1929-30	1930-31
Salvation Army.....	\$19,653	\$15,582	\$17,906
Federated Jewish Aid.....	5,325	3,394	4,597
Associated Charities.....	34,327	20,451	13,775
Catholic Welfare Bureau.....	29,262	25,611	22,756
County Welfare Commission.....	89,432	196,900	363,710
Other.....	12,925	12,843	13,218
Total.....	190,924	274,781	435,962

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. Yes.

8. A brief statement of the general situation in your community.

Answer. San Diego is not an industrial community. Its welfare depends nevertheless on the prosperity of communities which are. When tourists decrease local trade decreases and many are out of work. The local community can take care of the situation in so far as it is local. What we can not find the means to meet is the number of unemployed who flock here from other centers in the belief that the warm climate means cheap living conditions. They are here stranded in great numbers, either out of work themselves or crowding local breadwinners out of jobs, bidding down wages, etc. It is this mobility of the unemployed population that convinces us the unemployment problem is interstate and therefore national.

I hope the above figures and observations may be of help to you.

Cordially yours,

J. H. RAINWATER, Secretary.

SAN FRANCISCO

DECEMBER 23, 1930.

HON. ROBERT M. LA FOLLETTE,
Senate Office Building, Washington, D. C.

DEAR SIR: His honor, Mayor James Rolph, jr., has sent me your letter of December 13, on the subject of unemployment, and it is a pleasure to furnish you with the information. Answering your questions, beg to say:

1. Approximately how many people are unemployed in your community?

Answer. Approximately 20,000 people. This is somewhat of a guess. No census has been taken.

2. To what extent has the number of persons to whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. The number has increased tenfold. Approximately from 500 to 1,000 per cent.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. The city has increased its appropriation from an average of \$10,000 per month for ordinary winter relief to \$250,000 for the relief of unemployment. This is a special appropriation not heretofore made.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. I believe the number of unemployed will decrease, but considering single men as well as married, with dependents, and women, I think the increase in the number requiring relief will equal 25 per cent; reason being they will come to the end of their rope. The pressure is heaviest from about March 26 to about the 1st of April.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. I think so. Depends on how the Government handles the matter. If it goes in for modern methods and a lot of machinery, only about 20 per cent of the expenditure will be employment, that is, in road building. If, on the other hand, manual labor is the method employed, 80 per cent will be labor. We hope so.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. Relief agencies doing everything possible to take care of the extra pressure, privation, desperation, and poverty. The increase according to relief agencies has been tenfold.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. Think this would be a good thing to do. Not quite familiar enough with it to be an authority, but I can not but see that the States can attend to their own unemployed better than perhaps somewhat disinterested and removed Government officials.

8. A brief statement of the general situation in your community.

Answer. The situation in San Francisco is reputed not to be as bad as in other communities. Of this I am not certain. We would naturally receive a good deal of migratory labor that would want to take advantage of the somewhat milder winter here.

We have tried to stop the migration in order to hold our own and to try and meet the added pressure. To date the local government has spent approximately \$350,000 in relief for unemployment alone, outside other municipal projects. We have a bond proposed of \$2,500,000, the vote on which takes place at election to be held about February 6.

The biggest and most pathetic problem that we have now to meet is the problem of the single man with no dependents. We have not enough money to take care of them.

Trusting this information will be of value to you, and beg to be,

Respectfully yours,

ANDREW J. GALLAGHER.

SAN JOSE

DECEMBER 17, 1930.

ROBERT M. LA FOLLETTE, Jr.,
Chairman Committee on Manufactures,
United States Senate, Washington, D. C.

DEAR SIR: The answers to your letter of December 13, 1930, are as follows:

1. Approximately how many people are unemployed in your community?

Answer. One thousand five hundred.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. No increased aid over last year or over two years ago.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. No increase in appropriations for relief to unemployed or to the poor over last year or two years ago.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. I do not know.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. We do not expect assistance of the Federal Government.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. Relief by private agencies only slightly increased over last year and two years ago.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. No.

8. A brief statement of the general situation in your community.

Answer. O. K.

Yours truly,

C. B. GOODWIN, City Manager.

SAN MATEO

DECEMBER 18, 1930.

MR. ROBERT M. LA FOLLETTE, Jr.,
United States Senate, Washington, D. C.

DEAR SIR: The following is in reply to your questionnaire of December 13 regarding unemployment:

1. Approximately how many people are unemployed in your community?

Answer. A local registration bureau for registering unemployed has been in operation about two weeks, and to date has registered over 100. This probably represents about one-third of the unemployed.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. The unemployment has increased greatly over last year.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. The city has increased its appropriations and is doing work amounting to about \$10,000 in an effort to relieve unemployment.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. The number requiring relief during the coming winter months will no doubt greatly increase.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. Any assistance of the Federal Government would be a relief to local taxpayers.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. An unemployment relief committee has been organized consisting of mayors of local cities and the county board of supervisors. No constructive work has been done by this committee to date.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. Yes.

8. A brief statement of the general situation in your community.

Answer. Unemployment is probably greatest among the building trades and "white collar" class, due to a recession in building activities and a general let down in manufacturing and financial activities. This community being near San Francisco is subject to conditions similar to those existing in a large city. It is my opinion that conditions here are not as serious as in many other communities.

Yours very truly,

E. P. WILSEY, City Manager.

WHITTIER

DECEMBER 26, 1930.

HON. ROBERT M. LA FOLLETTE,
United States Senate, Washington, D. C.

DEAR MR. LA FOLLETTE: Herewith answers to your questionnaire of December 13:

1. Approximately how many people are unemployed in your community?

Answer. Approximately 500 people are unemployed in this community.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. Assistance in such cases handled through the welfare bureau of this city, the demand having been doubled over last year.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. Our appropriations for the relief of the poor have been doubled over last year.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. We do not expect any material increase over the number quoted.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. We are not in need of assistance from the outside at this time.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. The Whittier Welfare Association, cooperating with the Los Angeles County welfare work, takes care of the relief activities of this city. Demands have practically doubled over last year.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. We are in favor of Federal appropriation to assist city and State governments in relief work.

8. A brief statement of the general situation in your community.

Answer. This community is fortunate in that it is in a large citrus belt, large returns having been received during the last year. There is, therefore, no distress except in the homes of those who have lost their positions due to the curtailment of oil output and the decrease in the demand of the various industries identified with oil activities.

Very respectfully,

WHITTIER CHAMBER OF COMMERCE,
BURL G. MARTIN, Secretary.

COLORADO

COLORADO SPRINGS

DECEMBER 17, 1930.

MR. ROBERT M. LA FOLLETTE, Jr.,
Chairman Committee on Manufactures,
United States Senate, Washington, D. C.

DEAR SIR: We are pleased to give you the information requested in your letter of December 13, and have numbered our answers to correspond with your questions.

1. Approximately how many people are unemployed in your community?

Answer. Approximately 550.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. The city government here carries on all its relief work through the community chest. The associated charities, a part of the community chest, report 50 per cent increase in the number of cases handled this year as compared to last year, which can well be assumed to be a normal year.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. City's appropriation to community chest for this year same as for several years preceding. No specific unemployment relief has been provided for as yet by the city government.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. Number of cases requiring relief from our community chest has now probably reached its maximum for the winter.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. No. Unemployment situation could be relieved by proposed State highway construction now before governor for his approval.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. Community-chest agencies have increased their relief activities as indicated in answers to questions above.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. No. Only in so far as Federal money is appropriated to match State money in the construction of needed State highways.

8. A brief statement of the general situation in your community.

Answer. This community is fortunate in that not being an industrial city unemployment here is not as aggravated as it is in industrial centers. Prompt action on the State highway budget, combined with favorable construction weather conditions, will go a long way toward relieving the existing unemployment situation in this part of Colorado.

Yours truly,

GEO. G. BIRDSALL, Mayor.

STERLING

DECEMBER 20, 1930.

HON. ROBERT M. LA FOLLETTE, JR.,
United States Senate, Washington, D. C.

DEAR SIR: Your letter to the mayor of Sterling, Colo., was referred to me, owing to the fact that the city makes no levy or provision for the poor; this work is all done through a levy made by the county commissioners and paid through the usual tax channels as provided by statute in this State.

Fortunately for us, we are not burdened as heavily locally as are the more densely populated centers and the manufacturing areas of other States, and yet with a total population of approximately 20,000 population we expended better than \$35,000 for this purpose last year and no doubt will exceed that by five or six thousand this year.

Owing to heavy losses to our sheep and stock feeders last year and the three-fourths loss of our beet crop last year, on account of an unprecedented early freeze up—because of these facts farm operations were curtailed. Then, too, modern machinery, the combine in our grain fields, the husking machine in the corn fields, and the tractor, all combine to eliminate man power to such an extent that nonemployment is on the increase.

We find the same condition in our local sugar factory; the introduction of new machinery has eliminated almost half of the men used several years ago.

We feel that some practical method devised by Congress, whereby the Federal Government could assist in this matter, would no doubt help the small taxpayer materially, and I believe this would be a fair distribution of the burden if each section of the country would receive a certain pro rata share, matching the sum paid by that specific section of the country through its legal source as provided by statute in each State.

We give our aid by writing requisitions for food, clothes, fuel, and rentals as well as medical aid, all in accordance with the need and merit of each individual case, which is investigated and acted upon by the board of county commissioners to whom the investigator reports on forms provided for that purpose. Each petitioner is also requested to fill out a lengthy questionnaire which helps to make the investigation intelligently.

Sincerely yours,

B. J. RAGATZ,

Acting Clerk Board County Commissioners.

LONGMONT

DECEMBER 22, 1930.

COMMITTEE ON MANUFACTURES,
United States Senate, Washington, D. C.

GENTLEMEN: In answer to your questionnaire of December 13:

1. Approximately how many people are unemployed in your community?

Answer. We have no way of determining the number. But compared to last year and year before that those in positions to know tell me there might be 10 per cent to 15 per cent increase in unemployment.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. The city welfare association is taking care of about the same number as last year and year before.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. The city has not increased its appropriation. It appropriates so much each year to the welfare association, which in turn cares for the needy.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. Perhaps 10 per cent to 15 per cent increase in unemployed over last year and year before. We could take care of our resident needy nicely; but, due to press advertising and radio broadcasting that Colorado is prosperous in spite of the depression elsewhere, we are overburdened by a transient element coming among us with no means of support and seeking aid.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. Our burden is not excessive and will not become so but for reason given above.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. Practically all relief is given through agency created for that purpose.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burden that the present emergency has necessitated?

Answer. There may be localities in which such extreme measures might be necessary, but we do not feel the need of such measures in our city.

8. A brief statement of the general situation in your community.

Answer. We are in an agricultural district, raising sugar beets, alfalfa, small grains, potatoes, etc. We had a little better than an average crop, most of which sold at a very low price, except the sugar beets, which were grown on a contracted price. All in all our crop returns were not as unsatisfactory as returns in the less-favored districts, and in many ways we know of the depressed condition elsewhere largely through the press, etc.

Very truly,

EARL T. LUDLOW,

Mayor of Longmont, Colo.

LOVELAND

DECEMBER 17, 1930.

HON. ROBERT M. LA FOLLETTE,
Chairman Committee on Manufactures, Washington, D. C.

DEAR SIR: Your letter of December 13, addressed to Mayor H. H. Kelley, with reference to the unemployment situation has been referred to me, as the mayor is out of the city.

Answering your inquiries by number:

1. Approximately how many people are unemployed in your community?

Answer. Approximately 500 working people are unemployed in our community.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. I would say the number of persons whom the city is called upon to aid has increased 250 over the number last year.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. The city has increased its appropriations for relief to the unemployed 20 per cent over previous years.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. Approximately 50 per cent more people will require relief this year than two years ago.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. The assistance of the Federal Government will greatly aid our local situation.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. Local organizations, such as the Elks, women's clubs, and Red Cross, are helping to relieve the immediate situation, but do not attempt to furnish employment. They are doing their utmost this year on account of the necessity of conditions.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. I do favor aid in the form of an appropriation from the Federal Government.

8. A brief statement of the general situation in your community.

Answer. The general situation is probably better than in some sections of the country because of good crops, but at that it is not more than 60 per cent of normal due to low farm prices and wage reductions in the local sugar factory of the Great Western Sugar Co.

Sincerely yours,

H. T. VAN SANT,

Deputy Superintendent of the Poor.

PUEBLO

DECEMBER 16, 1930.

MR. ROBERT M. LA FOLLETTE, JR.,
Senate Office Building, Washington, D. C.

DEAR SIR: Replying to your letter of December 13, 1930, relative to unemployment in Pueblo, Colo., will say that under the laws of Colorado the county governments maintain poor farms and provide for the poor, for mothers' compensation, and other relief matters.

The city of Pueblo has a community chest to which the city contributes \$3,000 a year, but for the year 1931 will contribute \$5,000. We also contribute to other relief agencies to the extent of \$4,200 per year.

The largest part of unemployment here results from sugar-beet-field laborers that come into the city during the winter months; also section and construction gangs that do not work in the winter and come into the city. There is also a slowing down of coal mining operations in the counties south of Pueblo. The

steel plant in Pueblo has, in recent years, installed many labor-saving devices which has cut down the number of its employees.

It would be difficult for us to suggest any particular remedy.

Yours truly,

J. W. CARPENTER, *President of Council.*

FLORIDA
MIAMI

DECEMBER 19, 1930.

Mr. DAVID I. WALSH,
*Committee on Finance,
United States Senate, Washington, D. C.*

DEAR SIR: In answer to your form letter of December 13, relative to the unemployment situation in Miami and our attitude as to the Federal Government sharing to the extent of at least 50 per cent with municipalities and State governments for excess expenditures because of the unemployment and economic depression. I am pleased to inclose a report on the situation here from the Civil Service Department of the city of Miami, which report is concurred in by this office.

Yours very truly,

F. H. WHARTON, *City Manager.*

CIVIL SERVICE OFFICE,
Miami, Fla., December 16, 1930.

Mr. F. H. WHARTON,
City Manager, Miami, Fla.

DEAR SIR: Referring to your request of December 13 from the United States Senate Committee on Finance and Unemployment, I have looked up the following questions:

1. Approximately how many people are unemployed in your community?

Answer. Approximate number of people unemployed in the city of Miami—to the best of my ability and after consultation with several people who are in direct touch with the unemployment situation, we come to the conclusion about 3,000 would be a very fair estimate.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. What extent has the number of persons whom the city government is called upon to aid increased over the number of last year and two years—this was checked into very carefully with the charity department of the city of Miami and we find that there has been no noticeable increase.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. There has been no increase this year over that of last year or two years ago.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. Perhaps 1 or 2 per cent increase in this will be required to take care of the floating element which Miami is overburdened with at the present time.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. If the Government will go ahead with their plans here in Miami and use local taxpayers to do their work it will be a big relief.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. Our relief agencies have not been able this year to cope with the situation as they have in previous years for the fact that most of the relief money was in one of the banks that failed and therefore have been deprived of their funds for operating. There has been no increase last year or within the last two years in any of these departments. In fact, on account of the bank failures, it has been greatly reduced.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. We are not in favor of the Federal Government appropriating sums of money to go to the relief of the unemployed in Miami, but recommend very vigorously that the Government immediately proceed with their plans for this vicinity and use absolutely local people which will take care of our present situation.

8. A brief statement of the general situation in your community.

Answer. Miami is a tourist city and, of course, we have a big influx of people who must depend on public agencies for a livelihood, but our local situation is as usual and we do not find a great demand for skilled labor such as carpenters, bricklayers, masons, which this city has been oversupplied with. And a good many of these people will have to find other occupations or go elsewhere as we know during the years of 1925 and 1926 there was a tremendous influx of this class of persons. However, they have pretty well taken care of themselves and we find that our local situation is in fair condition. Of course, it is not what we would like to have it. But with the Government contemplating on some program for this vicinity we believe that the situation will be pretty well taken care of.

If there is any further information desired, kindly advise.

Yours very truly,

LOUIS K. MACREYNOLDS,
Executive Secretary.

TALLAHASSEE

DECEMBER 20, 1930.

Hon. DAVID I. WALSH,
*United States Senator from Massachusetts,
Washington, D. C.*

DEAR SENATOR: In reply to your letter of the 13th instant, I wish to say that my answers to your inquiries are purely guess, as we have not kept any accurate figures. I give you answers to questions as follows:

1. Approximately how many people are unemployed in your community?

Answer. One hundred.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. The city of Tallahassee has not given aid to any unemployed except through giving regular or temporary jobs. This work is done by our county welfare board, and it has been in operation just one year.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. See answer above.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. Probably 50 per cent.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. Yes.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. This year—1930—our local welfare board has spent about \$7,000 for welfare work, being mainly relief of those in real need of help.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. Personally, I think it a mistake for the Federal Government to make appropriations for relief work except in extreme cases, such as disasters, etc.

8. A brief statement of the general situation in your community.

Answer. I think conditions here are worse than ever before, but are not critical. Tallahassee and Leon County have made arrangements to put on a regular health unit under United States and State supervision, and we anticipate that it will be of material benefit to this section. Any assistance that can be rendered to this section in this line by the United States Government will be very much appreciated.

Respectfully,

IDAHO
COEUR D'ALENE

G. E. LEWIS, *Mayor.*

DECEMBER 29, 1930.

Hon. ROBERT M. LA FOLLETTE,
United States Senate, Washington, D. C.

DEAR SIR: Replying to your questionnaire of December 13—

1. Approximately how many people are unemployed in your community?

Answer. Three hundred unemployed men in this city at present.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. One hundred per cent over one year ago. No figures available for two years ago.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. Drastic action necessary this year and the percentage of increase necessary over a year ago might be ascertained as 100 per cent increase.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. Can not determine. Should highway construction on hand-labor basis be authorized in conjunction with the construction of a new city dock and trail building in the Coeur d'Alene National Forest there is a possibility of our employing all unemployed men, thereby relieving the situation entirely except the normal number of incapacitated.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. Yes; if properly organized. Governmental relief and funds for such relief primarily coming from taxation would normally increase taxation to care for such relief, each locality would be financially ahead to handle their own relief problem as a temporary problem rather than a permanent increase in taxation for a temporary problem.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. Relief committee organized to assist Salvation Army and Red Cross, funds for such relief coming from individual contributions and being administered by the relief committee working under the mayor and chamber of commerce; 100 per cent over last year being required at this time.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. Yes; with reservations, i. e., not wise to mortgage the future to the extent of laying the foundation for a similar recurrence of economic conditions as at present. It is the consensus of opinion in this territory that only such work be done now that is of a permanent nature and avoid any sudden cessation of activity at a later date in order to allow an orderly return to reasonably normal economic conditions.

8. A brief statement of the general situation in your community.

Answer. The general situation here would be no different than any other year were it not for the mental attitude of the public. So soon as relief is mentioned everyone wants it. Before relief was so extensively advertised and advocated the average citizen hustled for work and a living. Now he sits back and expects relief to come to him. I have personally interviewed 275 men in the past three weeks with the following results: 150 need work because they are lumbermen and the lumber market has forced the mills to close; 75 men can get through the winter without work but by virtue of an organized effort to provide employment they feel the urge of making a feeble effort to find employment since everyone is doing it; and the other 50 men wouldn't work if they had the opportunity.

The retail stores in this city report a wonderful Christmas volume. Seventy-five per cent of the retail stores in our city are either equal in volume to 1929 or from 25 per cent to 200 per cent ahead of 1929.

Banks here show a larger surplus of money than they have for a long time due perhaps to a general tendency for the local banks to reduce loans. If the bankers' confidence in their local community was revived to the extent of making loans for legitimate business and normal expansion a large amount of so-called relief would be unnecessary. It is impossible for farmers in this district to make improvement loans unless the farmer has a supply of wheat as collateral and this not being a wheat district precludes any possibility of farm expansion, building, livestock purchases, or improvements.

Following a line of industrial engineering and economic survey endeavors for some years past the undersigned can not feel that such a condition as exists in this district is at all justified.

Your request for data specified briefness and I have attempted to adhere to your request.

Yours very truly,

CHAMBER OF COMMERCE,

By J. M. VOICE, Secretary.

(Replying for Mayor George Natwick, of Coeur d'Alene, Idaho.)

IDAHO FALLS

DECEMBER 23, 1930.

Senator ROBERT M. LA FOLLETTE,

Washington, D. C.

DEAR SIR: I am writing to you, as well as to our own Senators, to protest against the appointment of George Otis Smith, of Maine, as a member, and particularly as chairman, of the Federal Power Commission. Mr. Smith has openly expressed himself as being unfavorable to municipal ownership, and I feel that such a man has no more place on the commission than one would who was opposed to private ownership; either man would approach his task from a prejudiced point of view. Moreover, the private interests have had their own way on power control so long that it is time the balance of opinion swung toward the interests of the people.

The city of Idaho Falls has two municipally owned hydroelectric plants on Snake River, and only State filings were necessary for these two. We now have completed our State filings for a third plant at Mesa Falls on the North Fork of Snake River, and this time we must also have permission from the Federal Power Commission. This project involves a common-carrier, high-tension line down the valley, and this line will be an incentive for further development of the power resources of our great river by large or by small concerns, by private interests, or by municipalities. This makes our project a matter of concern to the whole upper valley, and we do not want our hearing before a commission which is already prejudiced.

Your recent letter of inquiry in regard to the employment situation is at hand. We are a town of 10,000, and the income from our municipal plants is about \$1,000 per day. We have carried on an extensive building program this summer—a new city hall; and additional well; airport; light, water, and sewer extensions. All this has been done without bond issue. This winter we are using all available funds on street work of various sorts.

We feel that with further power development that will increase our municipal income we will always be able to pick up any slack in employment. We are anxious, not only for ourselves but for other communities, to see that the Federal Power Commission is composed of fair-minded men.

Yours truly,

BARZILLA W. CLARK, Mayor.

ILLINOIS

BELLEVILLE

DECEMBER 21, 1930.

Hon. ROBERT M. LA FOLLETTE,

Chairman Committee on Manufactures,

United States Senate, Washington, D. C.

DEAR SENATOR: Your letter of December 13, addressed to the mayor of Belleville, with reference to unemployment and relief,

was discussed at the meeting of the mayor's committee on unemployment relief, working in cooperation with the Federal and State committees. The letter was referred to me as chairman of the committee on survey and registration for reply.

Your first question, "Approximately how many people are unemployed in your community?"

Reply. Approximately 2,400. Of this number from 1,600 to 1,800 have been added to the unemployment rolls by the closing of the foundry industry, which takes place annually for one to two weeks. However, the shutdown this winter came about three weeks before the regular time and with no knowledge as to when these foundries will reopen.

Your second question, "To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and two years ago?" and your third question, "To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?"

Replying to these two questions: The city has never been compelled to appropriate funds for poor or unemployment relief. All relief work has been carried on in the past by charity organizations.

Fourth question, "What do you estimate will be the increase in the number requiring relief during the winter months?"

Reply. It is estimated that approximately 200 families have been given relief by charity organizations each winter during the last two years. However, the situation now is so pressing as to necessitate the appointment of the mayor's unemployment relief committee, in cooperation with the Federal and State committees, and will require the raising of a fund of approximately \$15,000 immediately through voluntary pledges.

Question 5, "Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?"

Reply. It would help very materially.

Question 6, "Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?"

Reply. The increase has overburdened the private relief agencies, necessitating the appointment of the mayor's unemployment relief committee to raise funds and will become more pressing each month.

No. 7, "Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?"

Reply. Yes.

No. 8, "A brief statement of the general situation in your community."

Belleville has a population of something over 28,000, according to the last census. Like most communities, unemployment has been growing all through 1930. The foundries of Belleville are practically all shut down. The foundry industry each winter season closes for approximately two weeks. This year, however, the shutdown came about three weeks earlier and were not working full capacity during the year and with no indications as to when they will reopen. While the mines—coal mines—are working through the winter season, they are not working full time, and, with the introduction of machinery in the mines during the last three years coupled with the passing of steam as a power, many mine workers have been left without employment. It is estimated that there are approximately 2,400 unemployed in Belleville now.

Hoping this covers your questions fully and expressing the hope that with the coming of the spring of 1931 conditions will improve generally, I remain,

Most respectfully,

AL TOWERS,

Chairman Survey and Registration Committee.

KANKAKEE

DECEMBER 19, 1930.

Hon. ROBERT M. LA FOLLETTE, Jr.,

United States Senate, Washington, D. C.

HONORABLE SIR: In reply to your letter of December 13, 1930, relative to the unemployment situation in this community and welfare work engaged in, I am pleased to answer each one of your questions, setting forth accurate information as it comes to my attention.

1. Approximately how many people are unemployed in your community?

Answer. An unemployment survey, completed during the past few weeks, shows 868 people registered as unemployed, 80 per cent being male and 20 per cent being female.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. In 1928, 128 families were taken care of as direct charges of the city, 85 or 90 of this number, however, being in this condition due to an epidemic of smallpox, and one or two other diseases that swept through this county. In 1929, 139 families were taken care of, and in 1930 our township is taking care of 205 families; and, in addition, our local welfare organization, working through the township charity office, is providing relief for approximately 200 additional families.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. Through a very well-organized community welfare organization a campaign is now under way to raise \$25,000 to alleviate the unemployment and relief work situation. Locally, we

believe this amount, together with donations of clothing, some food supplies, and other things that are donated from time to time, will take care of our situation in a fairly good manner.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. Our estimate at the present time is that perhaps an additional 50 families will ask for assistance in one form or another as the winter months are entered into.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. Assistance from the Federal Government would help to a great extent to handle in a more adequate manner and lessen the burden on local taxpayers in taking care of the welfare work; that is, at the present time, and will be required before a general pick-up in business is anticipated.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. A Kankakee community welfare organization has been perfected and operating for the last two months. This organization is organized in a very thorough manner and cooperates wholeheartedly with the city and county officials and departments. A general committee of 34 people, representing an entire cross section of our citizenry, an unemployment survey committee of 5, a clothing and house furnishings committee of 6, a publicity committee of 6, a finance committee of 9, an administration committee of 5, and a committee to step-up employment of 6, comprise the personnel of our entire welfare organization. In addition to the fund now being raised, several of our local factories and the public-service company are doing what they can to alleviate many things which may arise in the families which have heretofore depended upon these companies for steady salaries.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. Our local community welfare organization, city and county governments, and taxpayers generally, I believe, are heartily in favor of the Federal Government appropriating an amount of money that would help this city and county in relieving the burdens existing on our unfortunate citizens that the business depression has necessitated.

8. A brief statement of the general situation in your community.

Answer. The general situation in this city and county is, I believe, the same as in the average community, the most important requirement being the creation or existence of more jobs to take up the slack of unemployment. In other words, industrial activity and a general pick-up in the building trades would be a great help during the next few months.

I trust this information answers your inquiry in full, and should you desire further data, kindly advise.

Very truly yours,

LOUIS E. BECKMAN, Mayor.

MOUNT VERNON

HON. ROBERT M. LA FOLLETTE, JR.,
Washington, D. C.

MY DEAR SIR: Your questionnaire received, and in reply am answering your questions as far as possible.

1. Approximately how many people are unemployed in your community?

Answer. Six hundred and twenty-five registered.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. Doubled the past year, and also 1929 and 1927.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. In the same ratio as the number of unemployed, each year.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. About 500 to 700.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. Yes.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. Provident fund of \$6,000. All interests have pooled their aid.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. Yes.

8. A brief statement of the general situation in your community. Answer. With a complete organization of the city under the provident fund donations; with a board of directors, a secretary-treasurer, and stenographer; with a man and lady investigator and a card index of all families or persons we are able to keep a close tab and use the money where it will do the most good.

We also have provided a place for the wanderers to have a good warm room to sleep in and something to eat for one night only or, in cases of misfortune, longer.

Trusting that this will be sufficient, and if I can be of any service in any way please advise me.

Respectfully,

H. M. SWIFT, Mayor.

This city has a population of about 15,000 people.

OAK PARK

DECEMBER 20, 1930.

HON. ROBERT M. LA FOLLETTE, JR.,

United States Senate, Washington, D. C.

DEAR SIR: Replying to your questionnaire of recent date, I will take up the subjects therein as enumerated in your letter of the 13th.

1. Approximately how many people are unemployed in your community?

Answer. Oak Park has set up an office in the Municipal Building for the registration of unemployed Oak Parkers, and this registration shows that about 250 people have availed themselves of this opportunity. However, we believe a conservative estimate of the unemployed in the village of Oak Park would be closer to 750 to 1,000.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. As far as our knowledge of this question is concerned, we believe that the increase this year over 1929 and 1928 would be approximately the number as shown in answer to question No. 1.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. The village of Oak Park has not increased its appropriation for this relief work. All requests for funds, etc., have been made by special citizens' committees and organizations.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. We estimate that the number looking for relief this winter from the local organizations will perhaps increase 100 per cent over any previous year. However, our previous years' record for relief of this nature has been very small.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. In my opinion, I do not believe the assistance of Federal Government is necessary in this connection. The burden will be borne by the people of Oak Park.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. Our local family welfare relief organization is extending relief to all those who are asking for it. Our local organizations, such as churches, Spanish-American War Veterans, American Legion, and other auxiliaries, are doing efficient work also in this connection. Our chamber of commerce and other business organizations of this nature are in touch with the situation and are rendering such assistance through their business men in obtaining work, either of a temporary or permanent nature, for as many as possible. All these organizations, without a doubt, are doing a great amount of work not heretofore asked in previous years.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. I believe that State, Federal, or outside aid is not required in Oak Park, and in my opinion Federal aid elsewhere is a debatable question.

8. A brief statement of the general situation in your community.

Answer. The village of Oak Park is a residential community entirely, having no manufacturing plants of any description. The majority of its people are employed in Chicago. Oak Park is a community of home owners, and although the present situation has touched a great number, still I believe the majority are able to carry on without any organized relief.

Yours very truly,

C. H. CRYSLER, President.

OTTAWA

DECEMBER 15, 1930.

HON. ROBERT M. LA FOLLETTE, JR.,

Washington, D. C.

DEAR SIR: Answering the questions in your letter of December 13 as in order, would say that this city has a population of 15,000 people, of which, as near as we are able to estimate, 1,500 who were formerly in gainful occupation are now unemployed. This city has never before been compelled to enter into any active relief work on account of unemployment. This work has formerly been under the jurisdiction of our township supervisor, who ordinarily expends approximately \$10,000 in the matter of poor relief. This year it has become necessary for the city itself to appropriate funds for this purpose, working in conjunction with the supervisor and other organizations who formerly assisted in this work. We estimate that it will require practically two and one-half times the previous amount expended in this community for that purpose during the coming six months. The funds appropriated by the city and the funds from the supervisor, plus private donations, will, we believe, be sufficient for our needs.

I do not know in what manner the assistance of Federal Government could help in this situation. In November, upon viewing the situation in this community, we organized as the Ottawa United Relief Association, taking in all organizations in the city under one head. All contributions formerly expended by those organizations are now turned into a general fund at the disposal of the United Relief Association. I can not say that I am in favor of the Federal Government appropriating any sum of money that will share with the city and State governments the increased relief burdens under the present emergency. It is my belief and opinion that if the Federal Government wishes to assist in the present emergency it should turn its efforts toward the construction of

public works, furnishing employment and obviating the necessity of direct-relief expenditures by the State or municipalities.

Sincerely yours,

H. J. HILLIARD, Mayor.

INDIANA
CLINTON

DECEMBER 18, 1930.

Mr. ROBERT LA FOLLETTE, Jr.,
Chairman Senate Committee on Manufactures,
Washington, D. C.

MY DEAR SIR: In answer to your questionnaire of December 13, 1930, I submit the following information:

1. Approximately how many people are unemployed in your community?

Answer. Unemployed in the city of Clinton registered with the local unemployment committee appointed by Governor Leslie is 1,100, with an average family of 4 persons depending upon each of these 1,100 men for support.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. None. This is due to the fact that the coal mines, upon which our men principally depend for employment, have been shut down for over four years. Conditions here now are the worst ever known in this locality.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. The city government can give no relief to the unemployed, because there is no money in the city treasury with which to give such relief. (Township government is taxed to the utmost.)

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. There will be very little if any increase in the number requiring relief during the winter months.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. Federal assistance would undoubtedly help extend relief to the needy, and it would be sure to lessen the burden which our local taxpayers are bearing through the government of the township and through private relief agencies.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. Private relief agencies are extending aid to the needy to the amount of \$4,000 a year. Strict supervision and investigation are maintained and all our local relief agencies are cooperating to prevent duplication and to see that only the worthy receive aid.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. Yes.

8. A brief statement of the general situation in your community.

Answer. This community is in a very bad situation. General depression and the general and prolonged cessation of the coal-mining industry are responsible. Our population is nearly 8,000 and we have about 4,400 persons without any support. In the heart of a coal-mining area, large numbers of them can not get coal enough to keep them warm at home. They need food and clothing, medical attention, and many other things which they can in no way provide for themselves. The other half of our population can by no means adequately care for so many people, and there is sure to be much suffering and need. Manufacturing directly plays no great part in the industrial life of our community, for we have no important manufactures, but indirectly it has closed our coal fields. Our people are expecting Congress to take some step to secure modification of freight rates in order to hasten the reopening of the mining field here. Many of our good citizens are being compelled to accept charity in order to live. What they are clamoring for is not charity—it is work. They want work and there is no work for them to do.

Very sincerely yours,

HENRY OWENS, Mayor.

COLUMBUS

1. Approximately how many people are unemployed in your community?

Answer. Four hundred fifty.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. None.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. About 50 or 75 per cent over previous years.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. It would probably to extent of township trustee.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. It may run 75 per cent.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. City council feels it can cope with local situation without Federal assistance.

8. A brief statement of the general situation in your community.

Answer. A great deal of suffering.

CITY CLERK.

EAST CHICAGO

DECEMBER 18, 1930.

Hon. ROBERT M. LA FOLLETTE, Jr.,
Chairman Committee on Manufactures, Washington, D. C.

MY DEAR SENATOR: In answer to your general letter of the 13th instant, I reply as follows:

1. Approximately how many people are unemployed in your community?

Answer. Employment conditions about as follows: Ordinarily at work, about 21,000; about 40 per cent are working at least 5 days per week and as many more 3 or 4 days, and 1,500 are working 1 or 2 days; about 2,500 are not working, some of whom are here from other cities.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. One hundred ten families.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. None.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. Possibly 600 families.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. Not necessary. The local taxpayer will not be asked to pay if depression is not too prolonged.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. Relief work is being extended through three general channels—the city-hall food relief, the emergency-relief department of the community chest, and good-fellowship organizations in some of the industrial plants.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. No; too much danger in that.

8. A brief statement of the general situation in your community.

Answer. Employment conditions are superior here because of the number and diversity of our industries. Our steadiest plants are the oil refineries.

Hastily yours,

THOMAS W. O'CONNOR, Mayor.

ELWOOD

1. Approximately how many people are unemployed in your community?

Answer. About 150 in our city.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. Twice as many idle.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. More than twice as much.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. Twenty per cent.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. Yes.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. For the first time this city has an employment bureau.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. Yes.

8. A brief statement of the general situation in your community.

Answer. Much better than in any other city that I know of. We had two registration days for unemployed persons. We at this time after operating the agency for nearly three weeks have registered 160 persons, and our population is 10,780.

GEO. N. BONHAM, Mayor.

INDIANAPOLIS

DECEMBER 26, 1930.

Hon. ROBERT M. LA FOLLETTE, Jr.,
Senate Office Building, Washington, D. C.

DEAR SENATOR LA FOLLETTE: Because of the illness of Mayor Sullivan, his office has referred to me your letter of December 13 and asked me to provide the information desired, and I am pleased to do so, as follows:

1. Approximately how many people are unemployed in your community?

Answer. Our fact-finding committee, based on reports from employers of about one-third the employed population of Indianapolis, estimated, as of November 30, there were 26,000 unemployed persons who customarily have employment or are employable.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. Our public-relief department, operated by the township trustee, is providing aid to approximately 4,000 families. Customarily at this time of the year the number is about 1,500, and a year ago it was approximately 2,000 to 2,500.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. Under the Indiana law the township trustee does not have an appropriation for poor relief, but may spend any necessary amount out of the county fund and reimburse the county fund out of the succeeding year's tax income. As the figures in the answer to the second question indicate, there has been a considerable increase in outgo. We estimate the total expenditure of all trustees of Marion County for outdoor relief for 1930 will be approximately \$200,000, whereas in normal times it is \$100,000 or less.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. No one, as far as I know, has attempted to estimate the increase during the remainder of the winter, but those with whom I have talked are inclined to believe that we have more nearly reached the peak of case load at this time for this winter than at any such time in previous winters.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. Yes; manifestly.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. For our major private agency, from November, 1929, to November 1, 1930, which is the fiscal year of this agency, the amount expended was \$112,627.93, as compared with \$67,075.32 for the same period in 1929 and \$63,129.20 for the same period in 1928.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. No; for the reason that the taxpayers of this community are quite able to provide fully the relief needed.

8. A brief statement of the general situation in your community.

Answer. Attached confidential statement of the plan of our emergency work committee will probably give the information desired.

Sincerely yours,

WILLIAM H. BOOK, *Secretary.*

JEFFERSONVILLE

DECEMBER 18, 1930.

HON. ROBERT M. LA FOLLETTE,

United States Senate, Washington, D. C.

MY DEAR SENATOR: In reply to your letter of the 13th instant, desire to inform you that the unemployment situation here in Jeffersonville is as follows as revealed by a card survey of our city: 775 men have been listed and have an average dependency of three, making 3,000 people now who are without means to live, as they have no job or credit. This city is now endeavoring to raise \$31,000 for the purpose of giving relief to them until spring. We now have collected \$2,600 in cash from private persons of our city and have pledged \$8,052.70 to date. I am attaching a chart which shows the progress of our drive from private persons and we are continuing it from day to day, and it is being increased slowly. You understand that it is hard to get money as we are all pretty much up against it. But people must be fed. The people down here are getting somewhat put out at the slow progress being made at Washington in this serious state of affairs. Some action should be taken for aiding the cities and towns in this country who are up against a situation never before witnessed, in peace time, in this country. Your stand in the Senate is approved by the people here. The Courier-Journal, Louisville, stated that some Member of the United States Senate said that the Red Cross was taking care of most of the unemployed men in the country. That may be true in some cities, but I know that they are doing nothing here, to my knowledge. People should seek the truth before they make such a broad statement in the United States Senate.

Of course, I do not know that such a statement was made, only have the paper for it. This was in the report from Washington by a special representative of the Courier-Journal, of Louisville, Ky. I am giving you this in order that you may know how I heard of it.

By all means the Government should do something to help out in this matter. These times demand united action from the Government itself. The situation is as bad as war, in effect, because men and women are in need and their children are suffering more than they. They are not getting enough to eat, and if winter sets in bad, there will be many people die because they will not have sufficient strength to resist illness. Death and destruction may await us on all sides if we sit idly by and let these people go hungry.

These unemployed people are victims of an industrial let down and can not get work, but they must be fed somehow, and the Government should do its part to help out. There is too much delay now by those at Washington.

With our limited funds, this privately collected fund of ours is feeding 300 people over a period of one week. The heads of the families are required to work out on street cleaning and wood cutting for their food at the rate of 30 cents per hour, and we can only take care of one-fourth of the applicants who apply for work on this plan. You know they are willing and hungry when they seek work on our plan. They are not paid money but are given foodstuff direct, which is delivered direct to the homes, to make sure that it gets on the kitchen table, which would be bare indeed but for us doing what we can. By all means, Senator, keep up your fight for the poor. God has an all-seeing eye.

I wrote this in haste.

Yours sincerely,

ALLEN W. JACOBS, *Mayor.*

LA PORTE

DECEMBER 22, 1930.

HON. ROBERT M. LA FOLLETTE, JR.,

United States Senate, Washington, D. C.

DEAR SENATOR: This will acknowledge your query under date of the 13th instant with respect to Federal aid in the unemployment matter, and a proposal that the Federal Government share with the municipalities and State governments 50 per cent of the extraordinary expenditures in extending relief.

Replying would say that a rather complete survey of the city of La Porte shows unemployment in the town of 16,000 people, men and women, a trifle over 1,200. Of this amount our temporary relief organization committee has obtained permanent positions for about 350, and temporary jobs for perhaps 200 more.

The civil city of La Porte has not engaged in the expenditure of money for new permanent enterprises, but it has arranged to spend out of its treasury about \$8,500 for furnishing employment on streets and around its buildings, and that is about the sum of increased or extraordinary expenditures of which the civil city has obligated itself. The civil city expects to give employment, during the winter, the greater part of which will, of course, be temporary, with just a few days work now and then to about 40 to 50 people. This is about the limit of the ability of the civil city to cooperate in this line, and the balance of the relief is being furnished through a temporary organization, above referred to, of which the writer happens to be chairman, and this organization is responsible for the raising of a fund of about \$35,000 the opening of an office for the purpose of furnishing employment where possible, and the "doling" of charities where necessary.

Were it possible for the Federal Government to assist the civil city much more could be done, but we have extended ourselves to the limit in the appropriation of the added \$8,500 above referred to.

As to your query as to how much increase has been put on private relief agencies in caring for the situation, would say, in our opinion, it has multiplied by about six.

If we can be of assistance with further information, command us.

Respectfully yours,

FRED HENOCH,

Member Board of Public Works.

MARION

DECEMBER 20, 1930.

ROBERT M. LA FOLLETTE, JR.,

United States Senate, Washington, D. C.

DEAR SIR: In the belief that you are making a sincere effort to secure a reflection of public opinion on the subject of unemployment and relief therefor, we are herewith attempting to reply to your form letter of December 13, addressed to our mayor and referred by him to this office:

1. Approximately how many people are unemployed in your community?

Answer. Approximately 600 men and 150 women are now unable to find jobs by which they have been accustomed to supporting themselves in Marion, Ind.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. This is more than double the usual number of unemployed at this season of the year.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. Demands for poor relief from all sources have more than trebled as compared with last year.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. Answer to this question depends entirely upon the resumption of business and industry.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. This question requires more information than is available here for an intelligent answer.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. Private agencies have more than doubled the relief work they are doing as compared with last year. Food, clothing, supplies, etc., given to needy.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. Would not this only add to the burden under which business is now staggering?

8. A brief statement of the general situation in your community.
Answer. Our community is one made up largely of industrial workers. They want jobs, not charity. They believe business has been shackled and paralyzed by forces that ought to be apparent to the acknowledged leaders of the country. They are patient, but will be determined when once they are persuaded that present leadership of public affairs in this country holds out no reasonable hope of immediate action directed toward improving their present unfortunate position.

Respectfully yours,

E. F. WARFEL, *Secretary.*

VALPARAISO

DECEMBER 18, 1930.

HON. ROBERT M. LA FOLLETTE, JR.,

Washington, D. C.

DEAR SIR: In answer to your inquiry regarding unemployment in this city, I wish to answer your questions by their number.

1. Approximately how many people are unemployed in your community?

Answer. About 80 people, of which number all have means to support themselves through the winter except 31. Of the 31, 5 were deemed unworthy and will receive no help. The remaining 26 can and will be taken care of locally.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. The city government does not extend aid to anyone. The helpless are taken care of by our township trustee, and consequently I can not give you the relative numbers helped last year or of two years ago.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. The city has no appropriation for relief of needy people.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. I do not believe that there will be any increase in the number requiring relief during the coming months.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. No.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. The Woman's Club of this city is collecting clothing, and it is my information that they will have sufficient to take care of everyone here. There has been some little increase, but not much, over the last year or two.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. No.

8. A brief statement of the general situation in your community.

Answer. We have a community chest in this city of approximately \$8,000. This, together with the Woman's Club, the various societies, our township trustee, churches, and private help, will take care of conditions here. We do not need help.

Yours respectfully,

HAROLD J. SCHENCK, *Mayor.*

IOWA

CEDAR FALLS

1. Approximately how many people are unemployed in your community?

Answer. Fifty.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. About 100 per cent.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. About 100 per cent.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. About 25 per cent.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. Yes; a little.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. About 100 per cent.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. No. I think it a local function.

8. A brief statement of the general situation in your community.

Answer. Not bad; mostly reflected by the press.

Yours truly,

J. F. CROSS, *Mayor.*

CENTERVILLE

DECEMBER 27, 1930.

ROBERT M. LA FOLLETTE, JR.,

United States Senate, Washington, D. C.

DEAR SIR: In regard to the inclosure, the mayor of Centerville requested that it be answered from this office.

1. Approximately how many people are unemployed in your community?

Answer. Our unemployment situation is not so acute, because we are a mining community. The mines are working three and four days a week, which means that enough is earned for food, at least. As most of our laboring class are miners, that takes care of them. A great number own their homes—even though they're poor—so that there is no rent to pay.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. The number of persons has not increased. In fact, this community is in a much better condition now than it has been for three or four years.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. The appropriations have not increased. So far this year not as much has been expended during the months of November and December as was expended last year during the same months.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. We do not anticipate an increase during the winter months over last year.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. We do not consider Federal Government help is necessary—at least, not here.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. We have no private relief agencies as such. Of course, the different church groups give help occasionally, as does the Masonic lodge, also the Elks. But there is no private organization. Relief has not increased, as stated before.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. We do not consider Federal Government appropriation will help, for that appropriation will have to be paid eventually. Our community is in a better situation, no doubt, than most, but we do not broadcast this, for we have all we can do to take care of our own.

8. A brief statement of the general situation in your community.

Answer. This has been answered in the foregoing, has it not?

Please find inclosed also a pamphlet containing a suggestion from one of our local prominent citizens. This suggestion, if carried out, we feel would relieve any condition in this community more than anything else.

Sincerely yours,

PAULINE B. BOYD.

GRINNELL

DECEMBER 24, 1930.

Senator ROBERT M. LA FOLLETTE,

Washington, D. C.

DEAR SIR: Referring to your letter of December 13 containing queries about the unemployed in the city.

The situation here is not bad and the answers are about as follows:

1. Approximately how many people are unemployed in your community?

Answer. Very few. Thirty to fifty would cover those unemployed all the time.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. No increase.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. No increase.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. Probably from 50 to 100 families will ask for help a part of the time during the winter.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. Assistance from the National Government would relieve the local distributing agencies somewhat.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. The Social Service League and the county board of supervisors are the relief agencies in this city. There are no private relief agencies.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. I am at a loss to answer your question. As long as we can take care of our own needy and keep them comfortable I am willing to let the local people take care of their own unfortunate.

8. A brief statement of the general situation in your community.

Answer. We do not have much work for unemployed, but men who are willing to work and are capable of doing work well, provided they are not stricken by sickness, can get along very nicely in this city.

One of the unfortunate situations all over the country is that many well-to-do married women are holding positions and clerkships, which perhaps unmarried women should have, and at the same time their husbands are holding good positions. This doubling up of family effort is a minor cause of throwing people out of employment, but, of course, is not a serious cause.

Yours truly,

W. G. RAY, Mayor.

KEOKUK

DECEMBER 19, 1930.

1. Approximately how many people are unemployed in your community?

Answer. Six hundred.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. One hundred per cent.

3. To what extent has it been necessary for your county to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. Double.

4. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. Double.

5. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. No.

6. A brief statement of the general situation in your community.

Answer. We have organized a council of welfare agencies to prevent duplication of aid. It is functioning splendidly.

Sincerely yours,

FRED W. LONG, Mayor.

OSKALOOSA

DECEMBER 20, 1930.

HON. ROBERT M. LA FOLLETTE, JR.,

United States Senate, Washington, D. C.

DEAR SIR: Replying to a letter received from you concerning the unemployment situation in this city, I have taken some time to try to advise myself of conditions here.

1. Approximately how many people are unemployed in your community?

Answer. In my judgment the list of unemployed persons in this community would be about 15 per cent.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. I believe that the city is called upon to aid at least 50 per cent more transients than that of last year or two years ago.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. It has not, up to this time, been necessary to increase the appropriations for the relief of the unemployed this year.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. As to the increase in the number requiring relief during the winter months, will amount to approximately 10 per cent.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. Yes.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. The only relief agencies here are the Social Service and the Salvation Army.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. Yes.

8. A brief statement of the general situation in your community.

Answer. The situation is good as to food and shelter, but bad as to finances and work.

Commenting upon the above questions, I wish to state that it is said that Iowa is in the best economic condition of any State in the Union; and if that be true, I pity some of the rest of them. Practically all labor is at a standstill; plenty of food and shelter for everyone if funds could be obtained to pay for them.

Yours truly,

R. K. DAVIS, Mayor.

PERRY

DECEMBER 17, 1930.

HON. ROBERT M. LA FOLLETTE, JR.,

Washington, D. C.

DEAR SENATOR: Referring to your general letter of the 13th instant, with reference to the unemployment situation, I would say in reply to the questions submitted that the number of un-

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employed people in this community is approximately 25 per cent below normal and, with a city population of 6,000 and an urban population of 500, that our unemployed would reach approximately 150, with about one-half of this number being heads of families.

The number of persons who are calling for aid over 1929, I would say, was 10 per cent, and I think a safe estimate of the increase in the number requiring relief during the later winter months will be about 10 per cent more.

The city government does not aid in relief, that function being referred to the county and to charitable organizations throughout the city. We have a number of relief agencies, who receive their relief funds through popular subscriptions and donations of clothing, and so forth. Information from these agencies coincide very closely with the per cent as given above as to the increase.

The assistance of the Federal Government would, of course, help in the relief of the needy and, in so far as the county relief is concerned, would lessen the burden of the taxpayers. Likewise, it would lessen the burden on the citizens who contribute to the relief associations, which in effect is a tax on all fair-minded persons.

I do not personally favor appropriations by the Federal Government for relief, except in extreme cases where there has been a catastrophe or where the local conditions, as to the ability of the local people to care for the needy, makes it necessary.

So far as Iowa is concerned, I feel that we probably could take care of all local matters, but if the Federal Government is going to appropriate a sum of money for the relief of those in need, then I would say we would be entitled to our proportionate share as our relief needs compare with those of other communities less favored by crops and other conditions.

While we have had quite a reduction in the yield in the crops in this immediate vicinity, the community as a whole is in fairly good condition, and I do not see anything alarming at the present time. We feel that we are able to take care of local relief without outside help.

As above stated, we do not feel the need of any Government appropriations at this time, but if the appropriations are made because of the relief needs of other localities not so fortunate as we are, then, of course, we would expect the aid of the Government in proportion to our needs.

Yours very truly,

J. I. KELLY, Mayor.

SIoux CITY

DECEMBER 20, 1930.

HON. ROBERT M. LA FOLLETTE, JR.,

Senate Chamber, Washington, D. C.

DEAR SENATOR: Your questionnaire of recent date relative to unemployment existing in cities throughout the country, leading up to the Federal Government sharing in the increasing cost of financial relief, received.

In the State of Iowa the financial relief does not come from the city, but, under the laws of the State, comes from the county board of supervisors, plus the set-up of the bureau of social agencies within the city, where the citizens, as in other cities throughout the country, put on a community chest drive annually.

I am inclosing a report made by a combined group of the bureau of social agencies and specifically prepared by the Federal and State employment service with the assistance of all of the participating agencies that give financial relief. In addition thereto I am inclosing a report of the overseer of the poor of Woodbury County, both reports showing very clearly that the cost of maintenance has increased approximately 100 per cent in the past year. It shows further that we in turn have within our city at the present time between 2,000 and 2,500 unemployed. It shows further that better than between 400 and 500 families are now getting their living and fuel from either the bureau of social agencies or from the county overseer of the poor.

On account of two recent bank failures within the city with deposits running around between \$11,000,000 and \$12,000,000, in conference with the business and professional men of the city, they estimate that our unemployment will increase instead of decrease, probably reaching the maximum during the month of February, when it may reach 5,000.

Therefore, our citizens would appreciate any relief given by the Government in aiding and decreasing the burden locally upon our people. However, if we are to have relief, on account of our geographical location and severe winters, we should have it not later than the early part of January.

The reports of the different groups are herewith inclosed and are self-explanatory.

Respectfully,

W. D. HAYES, Mayor.

WOODBURY COUNTY

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. Per cent of increase for year 1929 over year 1928, three months: October, 2½ per cent; November, 3 per cent; December, 1¼ per cent. Per cent of increase for three months year 1929, as compared with October, November, and to December 16, 1930: October, 94 per cent; November, 96.5 per cent; December, 15 days, number of calls 100 per cent more than for same time in 1929.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. Comparative increase of money expended for corresponding months of 1928 and 1929 and for October, November, and first half of December for years 1929 and 1930. Percentage of increase: October, 1929, 63 per cent increase over October, 1928; November, 1929, 21 per cent increase over November, 1928; December, 1929, 47 per cent increase over December, 1928; October, 1930, 129 per cent increase over October, 1929; November, 1930, 87 per cent increase over November, 1929; to December 15, 1930, 140 per cent increase over first half of December, 1929.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. If the weather continues mild, there will be a minimum increase of about 300 per cent over 1929. Family funds much depleted owing to shortage of labor and bank failures. Severe weather will more than double this estimate, though snow shoveling would care for a few of the unemployed.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. Any assistance the Federal Government can give will help materially to lessen local burdens.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. Favor an emergency appropriation which could be used at once to relieve suffering.

8. A brief statement of the general situation in your community.

Answer. Local institutions, such as homes for aged and children, full to the limit. There will be an immense amount of suffering among these two helpless groups if conditions continue as at present and there is no relief in sight at present, for there is no work at present.

DEAR SIR:

1. Approximately how many people are unemployed in your community?

Answer. In our city of 81,000 the best estimate we can get is approximately 2,000 to 2,500.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. No provision is made by the city government to directly give aid to the needy. This is cared for by welfare bureaus, as will be shown in other answers. The official duty of caring for the poor is vested by law in the county.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. In 1928 the community fund directors apportioned \$51,660 for relief work. In 1929 they asked for considerable more, but received \$45,100, and this year asked for considerable more, but due to economic conditions, and two large bank failures during the past two weeks, many who have pledged will fall down on their subscriptions, and the apportionments will fall away below the \$45,000 of last year.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. From those who have the relief work in charge I learn that already they have demands of 100 per cent over last winter, and anticipate additional demands of another 100 per cent, making in all 200 per cent over last winter.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. It most emphatically would.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. This is answered in question No. 3, but I realize that we will have to obtain funds from some other source than our present method.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. Ordinarily we would much prefer to take care of our own unfortunates and believe we would have done so had it not been for our bank failures, which, so far, has thrown all lines of business into a turmoil, and none as yet has been able to shake themselves loose from it. This means that State or Federal Government aid would be most acceptable.

8. A brief statement of the general situation in your community.

Answer. Until about a month ago this city has done remarkably well from an economic standpoint all this summer, and we had hopes of getting through the winter with very little additional aid for the needy and the unemployed, but, as noted above, the failure of two of our largest banks a week or so ago, threw everybody into a panic, many of our business firms being hit, and they immediately laid off all the help they possibly could, and some who were not hit by the banks closing took that opportunity to release some of their help. The city council has no funds that it can divert from any of its several departments for relief, due to the fact that the streets, water, parks, and other departments kept the employees at work later in the season than usual in an effort to keep the said employees off the list of the unemployed.

Another thing to be considered is the fact that we are located in the territory where we have intense cold, and very little outdoor work can be done for three to five months in the year.

We expect that some manner of relief will have to be worked out, but at this time we are not able to state what can and will be done.

J. W. HOLMES,

State-Federal Employment Service, Sioux City, Iowa.

KANSAS

ARKANSAS CITY

DECEMBER 17, 1930.

HON. ROBERT M. LA FOLLETTE, JR.,

Chairman Committee on Manufactures,

United States Senate, Washington, D. C.

DEAR MR. LA FOLLETTE: Answering questions in the order put by your letter attached:

1. Approximately how many people are unemployed in your community?

Answer. Three hundred, including an area of 2 or 3 miles around the city. All members of family not taken into consideration.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. Approximately 25 per cent.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. It should have been increased 20 per cent but was not. The city makes no appropriation except through relief organizations. The county makes the only municipal appropriation. The city is carrying on extra work for the relief of the situation.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. Approximately 10 to 25 per cent.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. It would depend on the manner in which the Federal Government extends the relief and in what manner it is administered.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. Locally the county poor commissioner, the Red Cross, and Health Nurse Association.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. Yes.

8. A brief statement of the general situation in your community.

Answer. The city and industries have been able to take care of most of the unemployed up to this time and will be able to for approximately two months. After that time all emergency projects will no doubt be completed and I am unable to guess at what the situation will be then. Local government taxes are high, resulting in delinquent taxes and a heavy burden being thrown on those property owners inside the city who do pay. A more equal distribution of the burden is necessary.

I wish you success in your program for a reasonable and well-organized plan of relief.

Respectfully yours,

W. F. WALKER, Mayor.

DODGE CITY

1. Approximately how many people are unemployed in your community?

Answer. Fifty.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. City does not help; county does with Red Cross and Salvation Army.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. Fifty per cent.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. Twenty-five to fifty per cent.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. Not for this section; do not need it.

CITY CLERK.

FORT SCOTT

DECEMBER 22, 1930.

MR. ROBERT LA FOLLETTE, JR.,

United States Senator from Wisconsin,

Washington, D. C.

DEAR MR. LA FOLLETTE: Yours of the 13th instant received relative to aid from the Federal Government to municipalities occasioned by the unemployment situation.

Two hundred and fifty people are unemployed in Fort Scott, Kans.

The increase is 90 per cent over one and two years ago. No increase in appropriation has been made to meet this relief. Matter taken care of through popular subscription, welfare board, and charitable institutions. The increase will be slight for future relief.

The Federal Government will be a great assistance in assisting in lightening the burden on the local taxpayers. Local relief extended by private agencies has doubled within the last year. We certainly do favor the Federal Government appropriating a sum of money to assist in relieving the present situation.

Respectfully yours,

MARTIN MILLER, Mayor.

GALENA

1. Approximately how many people are unemployed in your community?

Answer. Four hundred.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. One hundred per cent.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. One hundred per cent.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. Five hundred.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. Yes.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. One-third; 100 per cent.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. Yes.

8. A brief statement of the general situation in your community.

Answer. Bad.

Yours truly,

C. H. JONES, Mayor.

HUTCHINSON

1. Approximately how many people are unemployed in your community?

Answer. Four hundred employed one-third of time.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. Double.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. Double.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. Twenty-five percent.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. Yes.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. Double.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. Yes.

8. A brief statement of the general situation in your community.

Answer. Two hundred unemployed last year; 400 this year.

H. J. HASKORD, Mayor.

KENTUCKY

FRANKFORT

DECEMBER 19, 1930.

HON. ROBERT M. LA FOLLETTE, JR.,
United States Senate, Washington, D. C.

DEAR SIR: Replying to your letter of the 13th instant, I am directed by the mayor to say that it is impossible for him to closely estimate the number of unemployed people in this city, but the number is far greater than at any time within several years past.

He estimates that the number of persons and families now depending on charity is three times as great as it was last year and for several years.

The allotment placed to the credit of charity under the 1930 budget is exhausted, and it will be necessary for the city to place additional funds for this purpose.

Many organizations in the city, in addition to the city government, are providing all the help possible to care for the poor and unemployed; but it is believed that it will be impossible to care for all of them in the city and county, and I am quite sure that Federal aid for this purpose would greatly aid the people of Frankfort and Franklin County in providing for the increased number of needy.

I trust that the above information will afford you some measure of assistance toward arriving at the course you desire to pursue, and wish to assure you that any additional information desired will be furnished upon request.

Very respectfully,

M. PARRENT, City Clerk.

LEXINGTON

DECEMBER 22, 1930.

HON. ROBERT M. LA FOLLETTE, JR.,
United States Senate, Washington, D. C.

DEAR SIR: Your inquiry of the 13th instant regarding unemployment and relief work in this city received.

Lexington is not a manufacturing center and our unemployment situation is not acute. While there are many people out of work and we have a greatly increased demand for assistance, we are able to handle the situation without help from outside. We have a well-organized relief committee on unemployment, and an appeal to the public for funds, provisions, and clothing for those in need has been met most generously.

The United States Government several months ago located a narcotic farm for this county. The property has not yet been taken over by the Government. Also, several months ago the Government selected a site for the construction of a post office and Federal court building. So far, this site has not been acquired.

If the Government will push the work on these two projects, our unemployment situation will be greatly relieved. If it can be done, we should like to have it understood by contractors that only labor from Lexington and Fayette County will be employed on this work.

We believe this is the best way for the Government to assist us. Our unemployed are asking only for work.

Yours very truly,

JAMES J. O'BRIEN, Mayor.

LOUISVILLE

DECEMBER 26, 1930.

HON. ROBERT M. LA FOLLETTE, JR.,
United States Senate, Washington, D. C.

DEAR SIR: Answering in detail your letter of December 13 addressed to the city of Louisville:

1. Approximately how many people are unemployed in your community?

Answer. Approximately 13,000 people are out of work in this community at the present time.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. The number of persons for whom the city is called upon for aid increased last year over the year before about 100 per cent. The increase this year over last year looks to be about another 100 per cent.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. The appropriation last year of the city for relief was increased about 100 per cent. In addition to that increase, this year there is an increase for straight relief of 100 per cent, and in addition to that a special appropriation for unemployment, which would be about an amount equal to the total relief appropriation. These figures are for the current fiscal year, which begins September 1, and therefore would answer question No. 4.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. In my opinion, the question of relief for the poor is essentially a local problem. If properly handled, poor relief can be much more efficiently managed by those in closer contact, such as city and county governments, than could possibly be done by national administration.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. Private relief agencies expended, approximately, during the fiscal year ending December, 1928, for relief alone \$70,000; for the fiscal year ending December, 1929, approximately \$85,000; for the fiscal year ending December, 1930, \$98,000; and it is estimated a minimum of \$110,000 for 1931.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. It would appear that the average local community can pretty well master the situation as far as their community is concerned. Federal aid might be much better administered as a nation-wide program in providing employment and working out measures for the prevention of such nation-wide depression and period of unemployment.

8. A brief statement of the general situation in your community.

Answer. Briefly, the situation in Louisville is in pretty good shape. Through a joint committee on unemployment and relief, composed of representatives of the board of trade, private social agencies, and the city government, a cooperative plan has been reached which is thoroughly covering the whole relief and unemployment program. While there is suffering, it is being reduced to a minimum, and nobody is actually starving or freezing.

If there is any further or more definite information that I can give you, please do not hesitate to call upon me.

Very truly yours,

F. H. MARVIN, Director of Welfare.

MICHIGAN
BESSEMER

1. Approximately how many people are unemployed in your community?

Answer. Two hundred fifty.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. Two hundred per cent.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. None.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. Ten per cent.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. Yes.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. None.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. Yes.

8. A brief statement of the general situation in your community

Answer. Bad.

DETROIT

DECEMBER 22, 1930.

HON. ROBERT M. LA FOLLETTE,
United States Senate, Washington, D. C.

MY DEAR SENATOR: In reply to your communication regarding the question of the Federal Government sharing with the municipalities and State governments for relief of the present economic depression, I should like to say that I have looked forward hopefully to some such action as this on the part of the chief law-making body of the country. I take pleasure in answering your questions in the order in which they appear and with the best information available to me at this time.

1. Approximately how many people are unemployed in your community?

Answer. About 97,653 registrations have been made by the unemployed in Detroit. Only one unemployed person from a family was allowed to register.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. Two years ago about 2,500 families were taken care of by the welfare. Last year 15,000 families and this year about 30,000 families.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. Last year the increase was about 50 per cent over the year before. This year about 700 per cent over two years ago, or about \$7,000,000.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. The increase will probably be gradual up to March.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. Yes.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. The mayor's unemployment committee has clothed over 70,000 persons—most of them completely outfitted. At the present time 7,000 homeless persons are being lodged nightly. Medical aid has been extended to over 22,000, legal aid to 3,000. The Community fund is expending \$3,000,000. Many other charitable organizations are doing a fine work.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. Yes.

8. A brief statement of the general situation in your community.

Answer. The city welfare department assumes entire responsibility for family relief in normal times. Its activities have been doubled this year. Both the welfare department and other charitable agencies have been working in conjunction with the mayor's unemployment committee.

In the present emergency the mayor's committee has provided clothing for over 70,000 persons; is feeding 4,000 school children; has set up an unemployment bureau that has provided jobs for 17,000 men of families, affecting 80,000 people.

Several feeding agencies under the jurisdiction of the mayor's committee are giving out 8,000 meals a day. Other social and religious agencies have followed suit.

Hoping that you will call on me if I can be of any assistance to you, I remain,

Very sincerely,

FRANK MURPHY, Mayor.

GRAND HAVEN

DECEMBER 29, 1930.

MR. ROBERT M. LA FOLLETTE,
Chairman Committee on Manufactures
United States Senate, Washington, D. C.

DEAR SIR: I have your letter of December 13, 1930, and am pleased to give you the following information, answering a list of eight questions pertaining to our local situation:

1. Approximately how many people are unemployed in your community?

Answer. We have approximately 600 unemployed in our city of 8,200 population.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. The municipal welfare board assisted three times as many families last winter as they did two years ago. This winter we will be assisting between three and four times as many families as were assisted two years ago.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. The money spent on welfare work two years ago was \$3,741 and last year \$8,200 and this year between \$11,000 and \$12,000.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. We estimate an increase of at least 200 families asking relief this year.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. Assistance of the Federal Government would extend relief to the needy and lessen the burden on the local taxpayers.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. Practically all of the financial burden of taking care of our relief work is carried by the city or its welfare board. We are, of course, receiving great help from the Salvation Army. The various church organizations usually take care of their own needy members.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. We would favor financial assistance of the Federal Government in relieving the present burden.

8. A brief statement of the general situation in your community.

Answer. We are assisting the unemployed and some who are working only part time, but are unable to take care of large families.

Yours truly,

BRUNO PETER, Mayor.

HIGHLAND PARK

DECEMBER 16, 1930.

HON. ROBERT M. LA FOLLETTE, JR.,
Washington, D. C.

DEAR SENATOR: This is in reply to your letter of December 13, 1930, in re proposed Federal appropriation to be shared with city and State governments in carrying on relief work.

1. Approximately how many people are unemployed in your community?

Answer. Estimated number of people out of employment, Highland Park, Mich., 3,500.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. Number of families receiving aid from city December 15, 1928, 110; number of families receiving aid from city December 15, 1929, 188; number of families receiving aid from city December 15, 1930, 287; number of single men receiving aid from city December 15, 1930, 90.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. Normal appropriation for city's charities division, \$21,500; 1929-30 budget appropriation, \$30,000; estimated amount which will be spent, \$90,000.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. Estimated number of families which will require relief during the winter months, 350; number of single men, 100.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. Yes.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. Relief from private agencies has increased 1,000 per cent over previous years. I attach outline of relief work in Highland Park which was prepared during month of November, covering relief work other than the work being done by the city's charities division.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the

increased relief burdens that the present emergency has necessitated?

Answer. In my opinion, every city of the country should carry on its own relief work and bear the cost thereof and that the activity of the Federal Government should be directed to furnishing municipalities with plans discovered, among other ways, from reports made by municipalities to the President's relief committee.

Yours very truly,

JOHN C. SHIELDS, Mayor.

HILLSDALE

DECEMBER 24, 1930.

HON. ROBERT M. LA FOLLETTE,

Chairman of Committee on Manufactures,

United States Senate, Washington, D. C.

HONORED SIR: Your letter of December 13 addressed to the mayor of the city of Hillsdale has been referred to me for reply.

As a general conclusion, it may be said that communities of the size of Hillsdale are not as seriously distressed by the present economic depression as our larger communities. To reply specifically to the questions contained in your letter I would say:

1. Approximately how many people are unemployed in your community?

Answer. One hundred and fifty people are unemployed in the city of Hillsdale.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. The city and county welfare authorities and other charitable organizations are assisting about 15 per cent more people than they were called upon to help last year.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. Appropriations and donations for charitable work in this city and county are 25 per cent in excess of the same during the last two years.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. Indications are that conditions are gradually improving and that there will be no increased demand for relief during the coming winter months.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. Assistance of the Federal Government will lessen the direct burden on local taxpayers, but there appears to be a slight possibility that such relief will be received in this community.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. There are approximately 40 benevolent organizations in this city and 40 or 50 more in the county doing some relief work. The Salvation Army is particularly active in this city and will supply 100 families this year. There are several other organizations giving extensive assistance and others are concentrating on one very needy family, which they will carry through the winter and supply all needed assistance.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. This committee is in favor of any relief that may be given by the Federal Government in the way of monetary assistance.

8. A brief statement of the general situation in your community.

Answer. The general situation in this community is in no sense serious. It appears that families needing assistance are being adequately taken care of by the charitable organizations now operative. While present prospects are that there will be no material increase in the demands on these agencies, unforeseen circumstances may occur that will tax the capacity of our benevolent organizations. In such event it would be highly desirable for us to know that there would be some Federal agency upon which we could call in the case of emergency.

Yours very truly,

K. G. PRETTIE.

IRON MOUNTAIN

DECEMBER 23, 1930.

HON. ROBERT M. LA FOLLETTE, JR.,

Washington, D. C.

DEAR SIR: Inclosed you will find a letter in reply to your request of December 13. The information is being furnished by the chairman of our local relief committee, of which I am an executive committee member.

Hoping that this information will be of some service to you, I am,

Very truly yours,

G. FREDRICKSON, M. D.

IRON MOUNTAIN

DECEMBER 20, 1930.

Dr. G. FREDRICKSON, Mayor,
Iron Mountain, Mich.

DEAR DOCTOR FREDRICKSON: I can furnish the following information relative to various points requested in La Follette's letter and will take same up under the same numbered headings as that letter.

1. Approximately how many people are unemployed in your community?

Answer. Considering this community as city of Iron Mountain and village of Kingsford and platted portions of Breitung Township immediately adjoining, total population 18,000 to 20,000. Records of community welfare committee, including unemployment registration in the three areas noted, show in excess of 350 unemployed. I estimate approximately 500 as about correct. We know that many did not register and we are receiving additional names almost every day. Of total number of 500, approximately one-half would represent married men with families, one-quarter single men with one or more dependents, and one-quarter single men with no dependents.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. No records available for last year.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. You will, of course, know, but I believe that the city did not make any appropriation for relief last year and I know the county budget for poor commission did not show any particular difference from preceding years. The village of Kingsford, I believe, added a few names on the village pay roll during the winter. This year it is hoped that entire relief required by city will be through employment and if, say in addition to \$5,000 of labor being handled through water department, an additional \$5,000 could be handled by the city, or in other words a total of approximately \$10,000 by the city, during the four months of December, January, February, and March, this would take care of most pressing cases requiring relief. It is hoped that the county road commission will be able to employ 50 men from platted portions of Breitung Township, giving them half-time employment during the same four months and which would take care of the pressing cases needing relief in that area. The village of Kingsford is taking care, by special city work, of all pressing cases in village. It is hoped to handle the greater portion of relief work this winter by employment.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. Figures already given under (1) are best estimate possible of total number requiring relief during the winter months. Not all of the unemployed will require relief. At least one-half of total number, however, will and this may increase to two-thirds, depending on conditions.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. If Federal Government can push along road work during the winter months in this area, it would assist through creation of employment.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. Community welfare committee has been set up covering the entire community as noted under (1). This committee functions in cooperation with the county poor commission and investigates all cases, recommends relief to county poor commission, and is handling all necessary clothing relief for community, operating a clothing-storage depot or store. This committee also acts as employment agents for the county and city for the special work undertaken to relieve unemployment, designating the parties to whom employment is given and amount of time to be employed in relation to relief shown by investigation if needed.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. Question is too general to be susceptible to an intelligent answer.

8. A brief statement of the general situation in your community.

Answer. Unemployment ratio here, 500 into 18,000, is somewhat lower than the national average. The worst condition to date in this area has more to do with low operating time in largest industry in the community, automotive plant, with many employees during past few months getting only \$42 per month, i. e., six days at \$7 per day.

Trusting that the above covers the necessary information, I remain,

Sincerely,

GEORGE C. NEWTON.

IRONWOOD

DECEMBER 18, 1930.

HON. ROBERT M. LA FOLLETTE, JR.,

United States Senate, Washington, D. C.

DEAR SIR: Your letter of December 13 addressed to Mayor John A. Landers has been turned over to me with the request that I answer your questions on unemployment and relief in our city to the best of my ability.

1. Approximately how many people are unemployed in your community?

Answer. We have conducted a registration of the unemployed in our city and at the present time it totals approximately 548, of which number 27 per cent are married with children, 11 per cent married without children, 20 per cent single with dependents, and 42 per cent single with no dependents. Approximately 27 per cent of those who registered are under 21 years of age.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. The number of persons whom the city is called upon to assist in employment has practically doubled this year over the preceding two years.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. In order to help the unemployment situation we have increased our appropriation by starting new work to the amount of approximately \$25,000.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. Judging from our social-service list, I would estimate the increase for relief to be about 60 to 70 per cent.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. In my opinion the assistance of the Federal Government in the relief work would be a great help to the local governments and taxpayers.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. The relief agencies in our city are the Red Cross and the county poor commissioner. Their work has increased considerably this winter and they have taken on quite a few more families than in previous years.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. I believe that if the Federal Government appropriated a sum of money to share with the cities and States it would be a big help to the local communities, and I would, therefore, favor such a measure.

8. A brief statement of the general situation in your community.

Answer. The general situation in our community is, of course, worse than previous winters, and I would estimate that we are approximately 25 to 30 per cent below normal conditions.

Trusting this is the information you desire, I remain

Yours truly,

DOW I. SEARS, *City Manager.*

MUSKEGON

DECEMBER 22, 1930.

HON. ROBERT M. LA FOLLETTE, JR.,

United States Senate, Washington, D. C.

DEAR SIR: Your letter of December 13 received, and in answer wish to inform you that we are aiding 1,000 families at the present time.

We had 85 families two years ago, and 200 families last winter; so you will notice the increase over 1929.

The assistance of the Federal Government surely would help to lessen the burden of our local taxpayers.

It will cost this city approximately \$150,000 for 1930.

Hoping this is the information you desire, I am,

Very truly yours,

BENJ. PEKELDER.

OSWOSKO

DECEMBER 18, 1930.

1. Approximately how many people are unemployed in your community?

Answer. Four hundred.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. Ninety per cent; 75 per cent last two years.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. Fifty per cent.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. Three hundred.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. Sure as you live.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. Fifty per cent.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. Yes; why not?

Two years ago we probably had between 50 and 100 men out of employment. Last year we probably had from 100 to 150, and this winter, I think we have 400 out of employment altogether. We have some 3,300 what you would call laboring men about town in a population of some 15,000. Some of these men get one or two or three days' work per week, but we do not call them unemployed. Only those who have no work are figured in the 400 out of work.

W. A. SEEGMILLER.

MINNESOTA

AUSTIN

DECEMBER 15, 1930.

ROBERT M. LA FOLLETTE, JR.,

Chairman Committee on Manufactures.

Replying to your request and answering your questions by number:

1. Approximately how many people are unemployed in your community?

Answer. Approximately 75 unemployed.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. No increase.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. None.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. Uncertain.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. Yes.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. Relief is being extended through community chest fund and Salvation Army, also Chicago, Milwaukee, St. Paul & Pacific Railway Relief Association (to railroad employees). Possibly 10 per cent increase.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. Yes; where conditions are such that appropriations have been increased to relieve suffering and distress.

8. A brief statement of the general situation in your community.

Answer. Our population last census, 12,262, made up of railroad and packing plant employees, mostly local men and women, and we do not have the floating class to any extent. Unless unforeseen conditions arise the local agencies mentioned above will no doubt be able to take care of those in need, but where conditions exist as at the larger cities the extra burden on the taxpayers will be considerable, and if the Federal Government absorbs some of it the different municipalities receiving the assistance will be able to fall in line when conditions are back to normal without the load of heavy bonds or other indebtedness.

Sincerely,

JACOB BECKER, *Mayor.*

CLOQUET

DECEMBER 20, 1930.

HON. ROBERT M. LA FOLLETTE,

Chairman Senate Committee on Manufactures,

Senate Office Building, Washington, D. C.

DEAR SIR: Answering your communication of December 13, 1930, with reference to the unemployment situation in the city of Cloquet, etc., I beg to report as follows:

The city of Cloquet has a population of about 7,000 people and its industries are principally woodworking plants consisting of a paper mill and a sulphite plant, a box factory, toothpick, clothespin, and physicians' supplies factory, 1 sawmill, 1 bolt mill, 1 crating mill, 1 planing mill, and the Wood Conversion Co.'s plant which makes wallboard, and also the flexible insulation known as balsam-wool.

The information which will follow is based upon a recent survey and to some extent based on estimates, inasmuch as it is hard to determine the exact unemployment situation owing to the fact that a large part of the employees working in the local industries live on small farms and tracts in the territory adjacent to the city of Cloquet and therefore we have no means of ascertaining just how many of that class of workmen, who are normally employed in the city of Cloquet, are now out of employment.

My information will be confined as nearly as possible to the city of Cloquet limits and the information will be furnished in the order of the questions in your letter.

1. Approximately how many people are unemployed in your community?

Answer. At the present time there are approximately 420 male persons unemployed in the city of Cloquet. Of this number approximately 185 are temporarily unemployed, which means that they have not worked during the last few weeks but have fair prospects of being reemployed within the next month or two providing that the plans for the commencement of operations in one of the local plants is carried out. This leaves approximately 235 men who are now out of employment and have no immediate or early future prospects of employment. Of this number a large portion are men advanced in years who have either been laid off by the local plants on account of their age, or refused employment on account of their age. This class has no bright future before them.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. The number of persons whom the city government is called upon to aid has increased approximately 50 per cent over a year ago.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. The city of Cloquet now maintains what is known as a "poor fund," and this year's levy for the "poor fund" amounts to approximately 10 per cent of the entire levy of the city for all purposes. In other words, approximately 10 per cent of the money collected by the city from taxes levied is now expended for the relief of the poor.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. Judging from our experience during the past 30 days, it is safe to estimate that the increase in the number requiring relief during the coming winter months will increase 100 per cent and it is quite apparent that our "poor fund" will fall short of the needs.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. It is doubtful in my mind whether the city will be able to take advantage of any Federal relief, as the relief is based on conditions that the city levy certain amounts for certain public works. Owing to the fact that the city is now practically up to its limit of what it is authorized to levy, according to law, as this city has been operating practically on a cash basis and has practically no indebtedness and if bonds were to be issued for any purposes the benefits could not possibly be derived until some time next summer.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

8. A brief statement of the general situation in your community. Answer. Besides the relief being extended by the city, several private agencies are likewise extending relief to the poor, such as the various charitable organizations, etc. These agencies report that the relief being extended this winter has increased 200 per cent over a year ago.

In conclusion permit me to call your attention to the fact that from the standpoint of relief as well as justice the people of this city are very much interested in H. R. 5660, which is now pending before the Committee on Claims in the House of Representatives and its companionate bill, which has been introduced in the Senate by Senator SHIPSTEAD. I am inclosing herewith a part of the CONGRESSIONAL RECORD containing the remarks of Hon. WILLIAM A. PITTINGER, which briefly covers the facts in connection with this bill.

The people of this city, as well as the people of four of the counties in northeastern Minnesota, feel that the Government of the United States is still indebted to them as a result of the inequitable adjustment of these losses by the Government. The settlers of this territory are mainly composed of sturdy pioneers who blazed the trails through the forests of northeastern Minnesota many years ago and are accustomed to great many hardships, and taught by bitter experience to make their own way as best they can. They do not like to beg for charity or seek undeserved relief. They do, however, possess a high regard for justice and will never hesitate in making a demand for what they believe is in justice due them. I believe that I can fairly represent the sentiment of this community by saying that if the Government of the United States, through its Congress, will enact the legislation provided for in H. R. 5660, herein referred to, and pay to these claimants the money which they are justly entitled to, that no other or further relief would be necessary. If the people of northeastern Minnesota who are affected by this bill receive the money justly entitled to them, they would be able to rehabilitate themselves in fine shape. This would hold true of the farmers as well as the people in the city. In addition thereto, the activities on the part of the settlers in the process of rehabilitation would create a demand for a large amount of labor and thus not only stimulate employment but bring general business conditions back to normal in this territory.

In closing I wish to apologize for my imposition upon your time in writing this lengthy report, nevertheless I feel and hope that the Government of the United States will deal justly with its citizens in this territory, and in that event the people of this area will not need any charity or other relief.

Very sincerely yours,

FRED C. JOHNSON, Mayor.

DULUTH

DECEMBER 23, 1930.

Senator ROBERT M. LA FOLLETTE, Jr.,

Chairman Committee on Manufactures,

United States Senate, Washington, D. C.

DEAR SENATOR LA FOLLETTE: Mayor S. F. Snively has asked me to answer your letter to him of December 13, 1930, asking for information about the relief situation in Duluth.

There are 4,174 persons out of work in Duluth, based on the number of unemployed registering on November 25, 1930.

The city of Duluth does not give any relief except to homeless men. The number of homeless men has greatly increased over previous years, due to the curtailment of logging operations.

The city has increased its appropriation for homeless men from \$1,500 in 1930 to \$3,000 in 1931. In addition, the community fund is helping with the care of homeless men to the extent of \$500 a month or more.

We do not know how heavy our case load will be this coming winter. Our relief expenditures and number of relief families show an increase over the previous year.

We have been able here to work out a plan of cooperation between the private relief agencies and city work which has been very helpful. The city has appropriated about \$100,000 for construc-

tion work to give employment. Many family men on the rolls of relief agencies have been placed at work.

Very sincerely yours,

S. A. BOWING,
Executive Secretary.

LITTLE FALLS

DECEMBER 16, 1930.

ROBERT M. LA FOLLETTE, Jr.,

Washington, D. C.

DEAR MR. LA FOLLETTE: Replying to your letter of the 13th instant, addressed to the undersigned as mayor of this city, I will hand you the following information:

1. Approximately how many people are unemployed in your community?

Answer. There are in the neighborhood of 150 or 200 people who are without work in this community, and it is safe to say that at least the 150 would be glad to work if it were to be had.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. Up to this time there is no appreciable increase in the number asking aid from the city. What it might be later on is a question.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. Our appropriation for the poor is the same as it has been in the past two years.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. There will be an increase in those requiring aid, but a great share of this will be taken care of through other means than city help.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. Naturally the Federal Government's assistance would lessen the load of local taxpayers but its advisability is an open question.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. There is a great deal of activity among charitable workers to help relieve the need of the younger people in so far as supplying food and clothing is concerned.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. I believe that the Government should be careful in the creation of a system which might border on the dole systems of other countries.

8. A brief statement of the general situation in your community.

Answer. It appears to me that our Government has fallen too much into the hands of big business who have been too eager to regulate the everyday affairs of the masses in order that their own interests might be advanced. They have by overproduction encouraged a plan of buying on credit to such an extent as to mortgage the future of our people and thereby stifle individual initiative.

Too much attempt to drive people into line without regard to the best interests of the people themselves. Naturally this creates unrest and an unhealthy situation generally. Our eighteenth amendment and its unpopularity is a fine example.

Very truly yours,

FRANK KIEWEL,
Mayor, Little Falls, Minn.

MOORHEAD

DECEMBER 23, 1930.

Hon. ROBERT M. LA FOLLETTE, Jr.,

United States Senate, Washington, D. C.

DEAR SIR: Inclosed herewith report on unemployment in Moorhead, Minn. (United States Census, 1930, 7,651.)

1. Approximately how many people are unemployed in your community?

Answer. Fifty-one have registered with unemployment agency that I established to survey situation.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. Less than last year. Many less than two years ago.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. We have no special relief fund for unemployment; in fact, city as such does nothing for unemployment as regards giving money relief.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. It is possible that our poor-fund relief will be increased.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. No; no need of Federal relief here.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. A greater activity on part of private charity apparent now just before Christmas.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. No; let us not get dole system in United States.

8. A brief statement of the general situation in your community.

Answer. Ours is an agricultural community, not an industrial community. We are hit hard by agricultural depression, but not much by unemployment.

Sincerely yours,

HERMAN C. NORDLIE.

ST. CLOUD

DECEMBER 18, 1930.

Mr. ROBERT M. LA FOLLETTE, Jr.,

United States Senate, Washington, D. C.

DEAR SIR: I agree with you and other Members of the United States Senate that the economic conditions in the country warrant the interest and the extension of assistance to municipalities and State governments throughout the country. However, we in the city of St. Cloud are extremely fortunate, as our industries are all running, and our labor is employed four days a week at least.

1. Approximately how many people are unemployed in your community?

Answer. A recent survey of the unemployment situation showed 300 men and women out of work. The normal seasonal unemployment at this time is about 150.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. We have been called upon to aid about a third more people this year than last year.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. Will say that we doubled our poor-relief fund over last year.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. The situation is becoming more acute day by day. We anticipate the necessity of extending relief to twice as many needy during January, February, and March.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. We hope that the economic conditions will have righted themselves before any relief from the Federal Government will be necessary, as far as our city is concerned; at any rate, I am not so optimistic as to believe that if the Government did set out on a program of relief that they would arrive or get anywhere much before 1935. The "Great Engineer" appointed a committee to do something about this more than a year ago, and the total apparent result at this time has been questionnaires sent to the municipalities seeking information as to what they are doing.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. All of our present charity organizations have been coordinated and are now operating under the direction of the city poor department.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. I favor such action on the part of Federal Government as will stimulate the employment of labor, and revenue necessary for Federal governmental construction work be obtained by a levy of an income tax upon our population of overly rich.

8. A brief statement of the general situation in your community.

Answer. The situation here, however, at the present time is not of such seriousness as to warrant any alarm.

Very truly yours,

JAMES H. MURPHY, Mayor.

STILLWATER

DECEMBER 19, 1930.

Hon. ROBERT M. LA FOLLETTE,

Washington, D. C.

DEAR SIR: In reply to yours of December 13:

1. Approximately how many people are unemployed in your community?

Answer. We have about 450 people unemployed.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. About 10 to 1 over last year.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. So far appropriations have come through county. The best report I can get is four times last year and year before.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. If remainder of winter is severe, number will probably double.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. Yes; if structure could be set up that would work with honesty and justice.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. We have four private agencies engaged in relief work now. Only one last year.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. I don't believe it could be handled without waste and injustice.

8. A brief statement of the general situation in your community.

Answer. I don't think there has been much real suffering in Stillwater to date. Our local agencies seem to have situation in hand at present. The ultimate outcome is hard to predict.

Yours truly,

G. A. SHEILS, Mayor.

VIRGINIA

DECEMBER 23, 1930.

Hon. ROBERT M. LA FOLLETTE,

Washington, D. C.

DEAR SIR: Inclosed please find the answers to your questionnaire of recent date. Although we are having the customary difficulties in handling the unemployment situation, due to the cooperation of our city and county, we have been able to give relief to those who are in dire need. We also feel that anything done by the United States Government for the relief of the present unemployment situation should receive the whole, hearty cooperation of every city organization such as ours. Relief given by the United States Government is bound to affect the situation as a whole.

Thanking you for the interest shown in our community and assure you of our appreciation of your efforts to benefit the Nation, we are,

Sincerely yours,

VIRGINIA CHAMBER OF COMMERCE,
By D. E. NELSON, Secretary.

MISSISSIPPI

GREENVILLE

DECEMBER 17, 1930.

Senator ROBERT M. LA FOLLETTE,

Washington, D. C.

DEAR SIR: Replying to your letter of December 13 in reference to the unemployment conditions of our city. This letter has been referred to the relief committee, who will answer the same in full.

We have done all the city has been able to do in regard to the unemployment situation. We have voted a bond issue of \$370,000 for schools and sanitary sewers and drainage service, and I have given employment to as many of the unemployed men as we could use.

Replying to your question No. 7, I personally do not favor a Federal Government appropriation, a sum of money that will share with the city and State governments, for under our charter the city government has no authority to appropriate any money for that purpose.

Our relief committee, composed of a special committee of the citizens of the town, have done all that was possible in view of the fact that the Government has stopped all levee work in our immediate vicinity and has thereby put several hundred men out of employment. I believe that the greatest relief could be given by taking the necessary steps to appropriate necessary funds to immediately proceed with the work of enlarging the levee in front of this town, which, I am informed, will not be done until next summer, due to the procedure that the United States Government has to follow.

Thanking you very much for your interest in this matter, I am,

Yours very respectfully,

FRED SCHELLEN, Mayor.

DECEMBER 17, 1930.

Senator ROBERT M. LA FOLLETTE, Jr.,

Washington, D. C.

DEAR SIR: In answer to your letter to the mayor, in regard to the Federal Government appropriating a fund to assist the local agencies through this period of depression. Will say in answer to the questionnaire:

1. Approximately how many people are unemployed in your community?

Answer. There are 2,500 families who are to be taken care of until March, which would be approximately 12,500; of course the wage earners would be 6,000.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. The city can't appropriate any fund under their charter.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. Same as No. 2.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. The increase over last year will be fully 75 per cent.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. The assistance of the Federal Government will help very much in giving relief and lessen the burden of local taxpayers.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. The local Red Cross has been handling the relief up to two weeks ago, and the chamber of commerce was asked to organize a similar organization and has been working in conjunction with the Red Cross.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. As the charter of the city does not permit them to appropriate funds, we would like to have you and your committee to take the proper steps to expedite the levee work in front of Greenville, which would give employment to about 300 men. This would be helping in two ways, as the relief would be more satisfactory.

8. A brief statement of the general situation in your community. Answer. To show you the conditions since the 5th of December, the applicants for relief at the Red Cross office have been 450, and the total cases handled in 1929 were 540. Now, not all of these have received help but there is quite a number who have and with the winter just coming on, and the Government work, and most of the local lumber mills shutting down their operation, and our road program held up for an indefinite period, it seems that relief is going to have to come from the Government, as most of the local citizens can't keep on giving, as most business people have been hard hit.

Any other information we can furnish you, will be glad to do it. Yours very truly,

Mrs. COBURN H. WILLIAMS,
Secretary Chamber of Commerce.

MISSOURI
CARTHAGE

DECEMBER 16, 1930.

ROBERT M. LA FOLLETTE, Jr.,
Chairman Committee on Manufactures,
United States Senate, Washington, D. C.

DEAR SIR: In response to your letter of the 13th relative to the unemployment in our city the writer submits the following information:

At this date there is not to exceed 50 unemployed men in our city. Compared with the same time one year ago we have 200 more men employed in factories and local establishments. Our relief work is handled entirely through our welfare bureau. A sum of money is raised each year to take care of this work.

Our city will not need outside financial aid, nor will there be any greater proportion of needy to be taken care of than for the past two years.

Yours very truly,

EARL J. TUCKER, Mayor.

INDEPENDENCE

DECEMBER 16, 1930.

HON. ROBERT M. LA FOLLETTE, Jr.,
United States Senate, Washington, D. C.

DEAR SIR: In reply to your inquiry relative to the local unemployment situation, please let me say in answer to your questions.

1. Approximately how many people are unemployed in your community? Answer. Three hundred and fifty known to us.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago? Answer. Approximately 50 per cent.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago? Answer. None as yet, but no doubt our budget will be exhausted by January 15.

4. What do you estimate will be the increase in the number requiring relief during the winter months? Answer. One hundred additional.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers? Answer. Yes.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago? Answer. Our official agency for relief is the Community Welfare League. The churches of our community assist materially in relief work.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated? Answer. Yes.

8. A brief statement of the general situation in your community. Answer. The situation here has not reached an acute stage, but no doubt as the winter progresses and the weather becomes severe emergency measures will have to be adopted to cope with the situation.

Yours truly,

ROGER T. SERMON, Mayor.

TRENTON

DECEMBER 20, 1930.

HON. ROBERT M. LA FOLLETTE, Jr.,
Chairman Committee on Manufactures,
Washington, D. C.

DEAR SIR: In reply to your questionnaire mailed under date of December 13 relative to unemployment and general economic depression.

1. Approximately how many people are unemployed in your community? Answer. One hundred.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago? Answer. None.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago? Answer. None.

4. What do you estimate will be the increase in the number requiring relief during the winter months? Answer. Fifty.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers? Answer. Yes.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago? Answer. Charity Union looking after needy unemployed, and Chicago, Rock Island & Pacific Railway Co. brotherhoods also extending assistance to needy employees. Fifty per cent.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated? Answer. Yes.

8. A brief statement of the general situation in your community. Answer. The general situation in this community is not so acute as in other localities due to extensive improvements by the Chicago, Rock Island & Pacific Railway Co. in connection with their new short line between Trenton and Kansas City. Otherwise, conditions would be serious here. To date the local Charity Union has been taking care of the needy, the city seldom having to be called on in behalf of needy.

Very truly yours,

M. L. ELLEDGE, Mayor.

MONTANA
BOZEMAN

DECEMBER 17, 1930.

Senator ROBERT M. LA FOLLETTE, Jr.,
Washington, D. C.

DEAR SIR: Mayor Purdy has referred to me for reply your letter of inquiry relative to the extension of Federal aid to States and municipalities in extending financial relief to the unemployed.

Under our State laws, cities of this size may not levy a tax to secure funds for the relief of the poor, so that I know of no fund from which the city might legally extend financial assistance. The State law allows the county to make a tax levy for this purpose, and puts the duty or obligation to care for the needy directly upon the county commissioners.

The foregoing statement will serve to indicate to you why we are scarcely able to answer authoritatively your questions 1 to 6, inclusive. For authoritative answers to them I wish to respectfully refer you to the county commissioners of Gallatin County, Bozeman, Mont.

Replying now to question 7, I wish to say that the mayor and I do not favor an appropriation by the Federal Government for the purpose indicated. We think this is strictly a function of the State and local governments, which should be able—and are able—to handle it their own way. We think the Federal Government should concern itself with handling more adequately and more justly its own peculiar problems before attempting to interfere with the local problems, for the handling of which the State and local governments were designed. We do not look with favor upon this idea of unrestrained extension of Federal authority and interference with local problems which seems to be growing in favor in some quarters.

Respectfully,

G. O. ARNOLD, City Manager.

BUTTE

DECEMBER 26, 1930.

HON. ROBERT M. LA FOLLETTE, Jr.,
United States Senate, Washington, D. C.

MY DEAR SENATOR: Replying to your letter of the 13th inst., regarding the approximate number of people who are unemployed in this community, I beg leave to advise you as follows:

1. Approximately how many people are unemployed in your community? Answer. There are approximately 15,000 to 16,000 people working in this community. A good many of these are working part time.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago? Answer. The number of persons whom aid has been given to this Christmas are approximately 1,600, and the increase over last year was 700.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. This city has not increased its appropriations because we are in debt so deep that it is impossible for the city to spend money in this way.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. It is hard to determine the number who will require help during the winter months but I would say in the neighborhood of 1,500 people.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. Yes; the assistance of the Federal Government would help to lessen the burden on the local taxpayer in case you extended our relief.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. Answer to paragraph 1 will answer this.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. I do favor the Federal Government appropriating money to help out city and State governments so that relief can be given the needy.

8. A brief statement of the general situation in your community.

Answer. I think that this city is in about as good a shape as any other community that I know of.

Hoping that these answers will be satisfactory to you, I am

Sincerely yours,

M. KERR BEADLE, Mayor.

GREAT FALLS

DECEMBER 24, 1930.

Hon. ROBERT M. LA FOLLETTE, Jr.,

United States Senate, Washington, D. C.

MY DEAR SENATOR: Your inquiry relative to unemployment, etc., is herein inclosed properly filled out to the best of our ability, and certified to by the county auditor.

The city of Great Falls has now appropriated money for the needy and unfortunate, and is doing everything possible to make things brighter.

Respectfully yours,

A. J. FOUSEK, Mayor.

DECEMBER 19, 1930.

1. Approximately how many people are unemployed in your community?

Answer. Six hundred or more.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. More than doubled.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. County budgeted \$15,000.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. About 400 active cards now. At least 100 more will need help.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. Yes.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. Same proportion as county.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State Governments the increased relief burdens that the present emergency has necessitated?

Answer. Yes.

8. A brief statement of the general situation in your community.

Answer. Some working now, but with the coming of cold weather many of these will be out of work.

JNO. S. COOK,

County Auditor, Cascade County.

KALISPELL

DECEMBER 20, 1930.

Senator ROBERT M. LA FOLLETTE, Jr.,

Washington, D. C.

DEAR SIR: Your letter of December 13 addressed to the mayor of Kalispell has been handed us for reply for the reason that in Montana the county government is obligated for the care of the poor, hence the present added burden on our poor fund because of the general unemployment situation comes on us rather than on the cities.

We will answer your questions as you asked them numerically.

1. Approximately how many people are unemployed in your community?

Answer. There are probably 1,000 men able to work who are not working in this community (meaning county) at this time.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. The increase in unemployment now as compared with a year ago is probably 100 per cent; 150 as compared with two years ago.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. County poor fund budget was increased over 20 per cent last July, planning on a hard winter, and from present indications the budget will be away short.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. Coming in on a constantly increasing scale, hard to estimate what the actual increase will be.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. Yes; emphatically. Any outside assistance will be of great benefit to our taxpayers.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. Private relief work here is not greatly increased due to tight money conditions; our public relief very much increased, as answered in question 2.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. Will simply say yes.

8. A brief statement of the general situation in your community.

Answer. You ask for a brief statement of the general situation. This is a timbered country, lumbering being a large business and usually employing a lot of men. This business now is practically at a standstill, which accounts in a large measure for our unemployment. Added to this fact is this condition: Dry landers from eastern Montana flock in here for woods work and augment the labor supply, which was already too large.

One other outstanding fact is this: Farm produce of all classes, including meat and dairy products, are at extremely low levels; people apparently are buying from hand to mouth and there is no surplus money to buy with. It is the old proposition of the vicious circle of low prices, falling demand, economy at the wrong time that we are all familiar with. Added to this fact is this proposition: Taxes are high and it is increasing the difficulty for farmers and home owners generally to pay taxes, and at the same time the outgo of public money for poor relief gets heavier. Briefly it is a paradox.

Montana needs roads; there is plenty of Federal money now available, but the State highway commission has no funds to match the Federal money. We hope the present movement in Congress to alleviate the situation will go through promptly.

Trusting that we have not written at too great length, we are,

Yours respectfully,

M. R. WOOD.

LEWISTOWN

DECEMBER 16, 1930.

ROBERT M. LA FOLLETTE, Jr.,

United States Senate, Washington, D. C.

DEAR SIR: In answer to your letter of December 13, in connection with unemployment, Lewistown, Mont., will make the following statement, to wit:

We are thoroughly organized here to attempt to take care of our unemployed by furnishing useful labor for them during the winter months. The committee sees its way clear at the present time through the cooperation of county and city and individual donations to carry the unemployed till February, 1931, only. I now make definite answers to your questions, to wit:

1. Approximately how many people are unemployed in your community?

Answer. About 200 unemployed.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. This is the first year we have had any problem, except the usual poor, which can be expected every year.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. It will take at least \$6,000 to carry the unemployed through the winter, whereas prior years we have had no organization.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. We have now 80 men with families that must have employment and 50 urgent, whereas in former years we have had no problem.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. The cooperation of the Federal Government would solve our problem here and carry the matter through the winter without question.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. We have the usual poor-fund relief this year as other years, but we now have, as stated, about \$6,000 necessary to carry through the unemployed.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the

increased relief burdens that the present emergency has necessitated?

Answer. I favor the Federal Government appropriating money that can be used for useful purposes to furnish work.

8. A brief statement of the general situation in your community.

Answer. We here are furnishing the unemployed labor to the extent of about \$25 a month, and so far the labor has been on useful necessary improvements that will prove a benefit to the taxpayers.

We are trying to get away from the dole system completely. We are getting excellent response and cooperation through our methods of furnishing labor rather than donating assistance.

Yours truly,

OSCAR O. MUELLER, Mayor.

MISSOULA

DECEMBER 17, 1930.

Senator ROBERT M. LA FOLLETTE, Jr.,

Washington, D. C.

MY DEAR SENATOR: In reply to yours of the 13th (received this a. m.) relative to the needy and unemployed in this city, have to say that to date the demand has not been as acute as last year, largely because we have just completed a new sewer system at a cost of more than \$500,000. Also the sugar factory has just finished a very successful season, thus distributing \$1,000,000 among producers, labor, and railroads. All of which has helped us very materially. The only source of funds we have is through the county commissioners, who spent \$86,000 last year for various kinds of relief, and private contributions through central relief board. Under our State law there is not any funds available for such work.

Missoula County expends eighty to one hundred thousand dollars annually for old-age pensions, widows and mothers pensions. County or poor farm, also other small doles to the needy.

1. Approximately how many people are unemployed in your community?

Answer. Two hundred and fifty men and women now registered.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. No apparent increase.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. No funds available under the law.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. Twenty-five per cent over past two years.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. I have my doubts, unless through employment, road construction, forestry trails clearing, replacement of one and two dollar bills, which carry disease out of the slums and other poor, with silver dollars.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. Situation well in hand through Kiwanis, Rotary, Lions Clubs, Salvation Army, and other smaller groups.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. Only by stabilized employment, using such a plan as proposed by national officers of Fraternal Order of Eagles.

8. A brief statement of the general situation in your community.

Answer. Good. Give us work and lots of it. Clip the wings or pull the tail feathers of the gamblers in food products.

Yours for success,

W. H. BEACON.

NEBRASKA

BEATRICE

1. Approximately how many people are unemployed in your community?

Answer. Two hundred.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. Possibly 60 per cent more.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. Fifty per cent.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. No.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. Doubled.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. I think we can handle this, although our county had very poor crops.

W. I. REED, Mayor.

GRAND ISLAND

DECEMBER 1, 1930.

O. A. ABBOTT, Jr.,

Mayor Grand Island, Nebr.

DEAR SIR: The following is a report of the city free employment office for a period of three weeks:

Men applicants

Odd jobs, anything, mostly married men	96
Trucking and hauling	8
Single men, no phone	22
Janitor, firemen, garage work	7
Painter, paper hangers	6
Carpenters	12
Total	151

Women applicants

Nursing, housekeeping, clerking	27
Total applications on file	178
Applications not on file, sent out of city to pick corn	200
Total applicants	378

This department has found employment for:

Women	8
Odd jobs, one day to steady work.	
Men	81

Two men hauling coal; 54 men, odd jobs, one day to steady work; 11 men, farm work; 12 men, carpenter work; 2 men, painting.

Total men and women in direct contact with job	89
Total men applicants sent out of city to pick corn	200

Total applicants sent out on jobs	289
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Yours truly,

ALBERT STEHR.

KEARNEY

DECEMBER 17, 1930.

1. Approximately how many people are unemployed in your community?

Answer. Same as years before.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. None.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. No increase.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. Five per cent.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. We can take care of all.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. About same.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. No.

8. A brief statement of the general situation in your community.

Answer. An average.

D. WORK, Mayor.

NEBRASKA CITY

DECEMBER 20, 1930.

Hon. ROBERT M. LA FOLLETTE, Jr.,

Chairman Committee on Manufactures, Washington, D. C.

MY DEAR SENATOR: Your questionnaire received and will reply as nearly as possible and confine my report to the conditions now prevailing here.

1. Approximately how many people are unemployed in your community?

Answer. I would say in the neighborhood of 270.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. Approximately 50 per cent.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. I would state about 70 per cent.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. We estimate 70 per cent.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. It would certainly relieve the situation extremely. As it now is this support must come from the city, county, and the individuals in general in order to meet the emergencies.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. We have been doing the most of this from the various lodges that can afford to do it, from the city and various individuals, kindred organizations, and the many societies. I would say at least 70 per cent.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. I am certainly in favor of this protection, as it will protect the public in many ways and cause less depredations, reduce misery and want, and have a tendency to create better citizenship, and more contented people and a much better feeling among our population as to the upholding of our principles of government.

8. A brief statement of the general situation in your community.

Answer. The general situation is practically the same as elsewhere, many out of employment, and conditions of unrest among those out of employment and very little to do with, which is sure to create discontent among those in this condition and, of course, to relieve, their sustenance must come from those that have in order to create a better feeling among this class that are needy and are in want of the necessities of life.

Yours very truly,

M. M. VAUGHN, Mayor.

NORFOLK

1. Approximately how many people are unemployed in your community?

Answer. About the same as last year.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. About the same.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. Taken care of by the county; funds the same.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. Twenty-five per cent.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. I don't believe this is necessary for this county.

While there has been a lot of talk about hard times, I don't believe it is any worse now than it has been the last two or three years.

Sincerely yours,

JNO. F. DUDGEON.

OMAHA

DECEMBER 26, 1930.

Mr. ROBERT M. LA FOLLETTE, Jr.,

United States Senate, Washington, D. C.

DEAR SIR: A very close estimate of unemployed persons in the city of Omaha is 20,000 to 25,000. This figure is arrived at by consultation with various labor union heads, newspaper editors, and others in close touch with the situation.

The increase in applications for aid is about 30 per cent.

Answers to questions Nos. 3 and 4 same as above.

The local community chest and the county charities are practically the only relief agencies in Omaha, aside from the Salvation Army and Volunteers of America. The calls on them are at least 25 per cent more than last year.

Of course, any assistance from the Federal Government would be very acceptable and enable the local agencies to care for some whom they will be unable to help from lack of funds.

Answer to No. 7. Yes.

Very truly yours,

JAMES P. CONNOLLY.

YORK

We have no more unemployed than in former years and need no assistance.

Respectfully,

GEO. E. CHILCOTE, Mayor.

NEW HAMPSHIRE

BERLIN

DECEMBER 23, 1930.

DAVID I. WALSH,

United States Senator, Washington, D. C.

DEAR SENATOR WALSH: Replying to your communication of recent date, would say that there are approximately 800 people unemployed in the city of Berlin at present.

Answering your questions in the order given:

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. Approximately 100 per cent.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. Fifty per cent over last year and 125 per cent over two years ago.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. Not much more than now.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. Yes.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. Red Cross and local charitable organizations are helping.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. Yes.

8. A brief statement of the general situation in your community. Answer. The general situation in Berlin is worse than it has ever been.

Trusting this answers your questions satisfactorily, I am,

Yours truly,

E. R. B. MCGEE, Mayor.

NEW MEXICO

RATON

DECEMBER 26, 1930.

Senator ROBERT M. LA FOLLETTE, Jr.,

Chairman Committee on Manufactures, Washington, D. C.

DEAR SIR: In answer to your questionnaire of December 13 regarding the unemployed of our city, have received the following information from the captain of the Salvation Army, who has charge of most of the relief work in this county:

1. Approximately how many people are unemployed in your community?

Answer. Five hundred local people out of employment at the present time.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. Fifty per cent.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. Donations to the Salvation Army for the years 1928-29 about \$2,000 and \$2,300; this year, \$6,100.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. Twenty-five per cent more than are now receiving relief.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. Any money received would help extend relief to the needy and lessen the burden of the ones donating to this fund, as it is given within the city and county by donations and not taxation. While most of the donors to this fund are taxpayers, many others give also, and it would depend on the manner of reimbursement to the treasury as to the effect on the local taxpayer.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. Eight hundred meals per month are given to the local population, besides other supplies, as milk, fuel, clothing, medical supplies, etc., and from 75 to 100 meals per week given to the floating population that pass through. An increase from 35 to 50 per cent over the last two years.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. Local industries not able to support the local population. Coal mining being the chief industry, the demand for coal has so decreased that some of the mines have closed, others working part time, 8 to 11 days per month, giving the mine laborers very little to distribute to the welfare of the community after the necessary living expenses are taken care of.

Very truly,

O. E. MAULSBY, Mayor pro tempore.

NORTH CAROLINA

HIGH POINT

DECEMBER 22, 1930.

Senator DAVID I. WALSH,

Washington, D. C.

DEAR SIR: I inclose to you herewith the information requested in your letter of December 13.

Yours very truly,

C. A. YORK.

With reference to the Federal Government sharing with the municipalities the burden of costs of financial relief extended on account of unemployment:

1. Approximately how many people are unemployed in your community?

Answer. A careful survey through the registration of the unemployed has resulted in the registration of approximately 1,000 people. This, of course, represents the heads of families and means that approximately 5,000 people are affected, as there is an average of five to the family. An analysis of the registration discloses the fact that a considerable per cent of the registration is for a group that would be normally unemployed. There are many reasons why they would be unemployed: Lack of desire to work

regularly, inefficiency, etc. Out of the 1,000 registered, at least 350 belong to this class. The remainder of the 1,000 are people who have had employment a part of the time. They have been able to secure work for 2, 3, or 4 days each week during the year. About 250 of the 650 in this group are carpenters, brick masons, painters, and common laborers, who are ordinarily in construction work. These people have not had the amount of part-time work as the others in this group. The people in our textile industries, consisting of hosiery, silk, and underwear, have been very fortunate for the entire year in that they have been regularly employed. A great loss has been sustained by the woodworkers and those in construction work as they have been on part time.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. Up until November 1 the number of persons aided through the public welfare this year was no more than during the same period last year. Since November 1, there has been a great increase in the calls on the public-welfare department for aid. The outlook at present is that this increase will continue, certainly for the next few weeks. Conditions two years ago were much better than last and this year.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. To date the city has not increased its appropriation for direct relief from a charity standpoint, but it appears that this will have to be done at an early date by the city, or through some channel, as the funds will certainly be needed. The city has appropriated \$7,000 to provide work, which is work that is needed, but not scheduled at this time. This work would have to be done possibly within the next one or two years. This appropriation will have to be increased right away.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. An estimate of the increase in the number requiring relief during the winter months would have to be a guess. If the manufacturing plants receive sufficient orders to enable them to carry on after the Christmas holidays in the same manner that they have up to date there will be a small increase in relief work required, and, of course, if they are unable to carry on there will be a tremendous increase in relief work.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. Naturally, if the Federal Government will aid in the relief expenses, the burden on the local taxpayers will be lessened.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. Relief extended by private relief agencies is in about the same condition as mentioned in item 2.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. This to be answered by Mayor York.

8. A brief statement of the general situation in your community.

Answer. Our community is particularly fortunate. Our manufacturers and employers early recognized the situation and adopted the plan of dividing their work among their employees, thereby enabling a large number of people to have some income. This plan has reduced the unemployment and relief requirements to a very low figure. Our employers are interested in the welfare of their employees and are anxious to keep them employed and will put forth every effort possible to do this. We are inclined to look forward to a new year with optimism, in so far as High Point is concerned, as some of our industries have already advised us that they were encouraged to believe that they will have fairly good business and there are some construction projects in view that will furnish employment to a great many people. We do not wish to minimize the situation, but at the same time feel that by cooperation of the various governmental and business agencies the situation will be worked out and we can work back to normal conditions.

SALISBURY

DECEMBER 22, 1930.

HON. DAVID I. WALSH,

United States Senate, Washington, D. C.

DEAR SIR: Referring to your letter of December 13 relative to the unemployment situation in this community, wish to advise that on a survey recently made we have somewhere in the neighborhood of 750 to 1,000 people unemployed. In this connection wish to state that this is the first year that we have set up an unemployment bureau and heretofore we have not made a survey to determine just what the unemployment situation was.

We are appropriating only a limited amount of money, but are carrying on all the municipal work that we can possibly do, which, of course, is very limited just at this time. There is no way to determine definitely what will be the number requiring additional relief during the winter months, but we believe that the number we now have will be materially increased as the winter advances.

As to the assistance by the Federal Government, I do not know in what practical way the Government will be able to assist, but we shall keep in close touch with this, and if there is any way in which we can practically avail ourselves of such assistance, we naturally wish to do so.

The local agencies here are assisting in every way possible in creating jobs that can be done at this time. We have gone through a period of advertising in making this request of our citizens, and we find that some repair work is being done and employment is being given to a limited number of our people.

With the above explanation I trust that you will be able to see a true picture of our present situation.

Thanking you for your inquiry, I am

Yours very truly,

J. L. FISHER, Mayor.

NORTH DAKOTA

BISMARCK

1. Approximately how many people are unemployed in your community?

Answer. None, except seasonal.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. Ten per cent.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. Ten per cent.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. Fifteen families.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. No.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. None.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. No.

8. A brief statement of the general situation in your community.

Answer. Good, because of large building activities during past season.

M. H. ATKINSON, City Auditor.

DEVILS LAKE

DECEMBER 29, 1930.

HON. ROBERT M. LA FOLLETTE, JR.,

United States Senate, Washington, D. C.

DEAR SIR: Your letter of December 13, with reference to the information as to unemployment and the ability of the municipality to take care of the needy was received, and I am herewith giving you the following information in accordance with the questionnaire attached to your letter.

1. Approximately how many people are unemployed in your community?

Answer. We have 150 married men unemployed and 40 single men, comprising a total population of approximately 600 people.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. The increase will be approximately 50 per cent as to what it was two years ago and 40 per cent increase over one year ago.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. The same proportion will apply there—50 per cent two years ago, and 40 per cent as a year ago.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. Fifty per cent.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. Yes.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. None. This municipality has been taking care of the poor entirely through taxation with exception of at Christmas time, when church organizations and other relief agencies have given temporary relief.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. As yet we do not think that it will be necessary to request Federal aid for the relief of the poor or the unemployment. This, however, will depend on the duration of the present depression.

8. A brief statement of the general situation in your community.

Answer. The condition here is just the same as in any other agricultural territory, and should the present economic condition last for another two years there is no doubt but what Federal aid will be necessary. The present price level on all farm products, including grain, which is a major product, has not been as low in 30 years. Taxes during this time have increased from 200 to 800

per cent, farm machinery 100 per cent, and all other commodities which the farmers are obliged to buy have increased on about the same level; consequently, the grain and products at the present prices are produced at a loss and it will be just a matter of the above-mentioned time until a great number more will be added to the unemployed and the situation will be that much worse.

Hoping that this information will be of some value to you and the committee which is investigating this serious problem, I am,
Yours sincerely,

MARTIN OLSEN, *City Auditor.*

FARGO

DECEMBER 18, 1930.

HON. ROBERT M. LA FOLLETTE,

United States Senate, Washington, D. C.

DEAR SENATOR: This will acknowledge your letter of December 13.

1. Approximately how many people are unemployed in your community?

Answer. Fargo is a city of about 29,000 population, being the largest in North Dakota. There are approximately 800 unemployed in the city at this time.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. The normal volume of unemployment is approximately 300.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. The city itself makes no provision for the care of the poor, that responsibility being committed to the county. The county has made no provision for the care of the poor in excess of normal requirements. This necessarily follows, because the county adopted its appropriation budget last July, when this unforeseen situation was not anticipated. The county, therefore, finds itself facing an unusual burden in the care of the unemployed which was not anticipated and for which no provision has been made. It seems to me that this is one important factor which you should take into account. Laws placing cities and counties and other municipalities on a budget basis are common throughout the United States. These subdivisions adopt their appropriation budget or ordinance either in the month of January or in the month of July, usually the latter. Consequently, these counties and other municipal subdivisions have no funds available for the purpose of meeting the emergency created by the nation-wide nonemployment. This, to my mind, is one of the most logical and reasonable arguments why the Federal Government should meet the emergency by an immediate appropriation. It is well enough for economists and legislative leaders to say that the burden of the poor is primarily for the States and is not a function of the Federal Government, but we face a situation not a theory.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. I do not believe that in the city of Fargo or in the county of Cass there will be any increase in the number requiring relief during the winter months. North Dakota is very happily situated so far as general conditions are concerned, notwithstanding the depressed grain prices and the general adverse farm conditions. I have made some study of the situation, which confirms the statements we hear on every hand that the Northwest, and particularly the State of North Dakota, is more favorably situated at this time than any other part of the country.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. Obviously, the assistance of the Federal Government is needed throughout the country, although this need is not so acute in North Dakota as elsewhere.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. Relief agencies in Fargo are financed through a community chest. The funds for that purpose were raised a short time ago in amounts approximately equal to the 1929 community chest. These relief agencies will have to face a larger demand than in previous years, with only normal appropriations available. They will have to meet this in two ways: First, by reducing their overhead, and second, by restricting the activities. It may result in a more limited program of relief, but I do not believe the situation is serious in Fargo. There has been an increase in the demands made upon these relief agencies over previous years, but it is not as serious as undoubtedly exists elsewhere.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. In principle I doubt the wisdom of Federal aid or interference in local affairs; but like every other situation the exception often proves the rule. I believe this exception exists warranting prompt legislative assistance on the part of the Federal Government.

8. A brief statement of the general situation in your community.
Answer. Business conditions are on the whole below normal in this territory. The cities are particularly affected by this situation. I think the farmers are in less distress than those living in the city. As stated above, it is my judgment that Fargo and

the State of North Dakota generally are much more happily situated than other parts of the United States.

This reply is made by direction of the mayor.

Yours truly,

M. W. MURPHY, *City Attorney.*

JAMESTOWN

1. Approximately how many people are unemployed in your community?

Answer. Fifty.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. Very little.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. About 50 per cent, as it was almost negligible.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. Very little.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. Not necessary.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. None.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. No.

W. Y. JOOS, *City Auditor.*

OHIO

AKRON

DECEMBER 19, 1930.

HON. ROBERT M. LA FOLLETTE, JR.,

United States Senator, Washington, D. C.

DEAR SIR: In reply to your communication of December 31 with reference to unemployment relief in the city of Akron, I am inclosing herewith a memo supplied by Mr. R. H. Kurtz, director city division of charities, which replies to your queries as numbered therein.

Supplementing his reply to No. 3, I would suggest that he has not included in that schedule any reference to appropriations for hospital relief, for which item the city appropriated last year \$67,200, and which item was supplemented by that much additional, I understand, from the Better Akron Federation funds.

With reference to the outlook for 1931, the city will appropriate at the beginning of the year \$127,000 for indigent relief, and will be compelled to add to that appropriation as the situation develops.

We have some \$60,000 available in a contingent fund from which to add to our prospective initial appropriation. Our division of charities have stated that, instead of \$60,000, probably \$150,000 additional will be necessary.

This, I think, will give you something of an idea of our situation and of our resources, and will suggest to you that if the Federal Government intends making an appropriation to share in this unemployment relief, it seems to me it would be helpful to us. It is obvious that if the Federal Government were to make available for Akron city's use \$100,000 or \$150,000, it would lessen the local burden just that much.

Yours very truly,

G. LLOYD WEIL, *Mayor-Manager.*

DECEMBER 17, 1930.

1. Approximately how many people are unemployed in your community?

Answer. No one knows; 15,000, as a guess.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. Four hundred per cent.

	October, 1929	October, 1930
(a) Applications.....	253	641
(b) Families granted relief.....	337	1,299
(c) Amount of relief.....	\$4,781	\$19,343

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. Family relief.

	City funds	Supple- mented by—
1928.....	\$26,500	\$24,000
1929.....	45,000	31,500
1930.....	101,000	79,000

¹ Better Akron Federation funds.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. We expect our load to exceed 2,000 relief cases per month before the winter is over.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. Approximately an equivalent amount to the above city expenditure is being supplied through private agencies. They are caring for an additional 30 per cent of families not on city relief.

8. A brief statement of the general situation in your community.

Answer. Factory employment and production picking up a little. Most of our families are laborers and building-trades men, however, and the industrial recovery will have to go a considerable distance before residence building will be stimulated.

R. H. KURTZ.

BELLAIRE

DECEMBER 27, 1930.

Hon. ROBERT M. LA FOLLETTE,

Washington, D. C.

DEAR SIR: In reply to your communication of December 13, 1930, containing questionnaire as to economic conditions in our community, in which the body of the United States Senate is desirous of ascertaining to what extent relief is needed, will to the best of my ability answer same.

1. Approximately how many people are unemployed in your community?

Answer. From a population of 13,325 we have approximately 2,600 unemployed.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. Aid given by city government has increased since 1928 to 1930 about 35 per cent.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. Through necessity have been compelled to appeal to the public donations for clothing, fuel, and food to the extent of 50 per cent, as we had no appropriations available.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. We anticipate an increase in relief of 10 per cent above the 35, making it at the least 45 per cent.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. Yes; if this relief is afforded through the efforts of the Senate, it will be a godsend, as taxes remain at present unpaid.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. Fraternal organizations, churches, and private individuals have extended relief to the extent of about 15 per cent over the two years preceding 1930.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. Yes, sir. Our municipality joins with your body in agreeing that relief should be forthcoming from our Federal Government.

8. A brief statement of the general situation in your community.

Answer. Due to our community being in the center of the bituminous-coal region, which is operating on a very low scale of about two days a week, with wages at the price which is below living wage and no mills working, make industrial conditions throughout the valley deplorable and necessary for even those having such employment, charges on the city and county as well.

Thanking you for your interest and hoping your move to aid the unemployment situation may materialize in the near future, when it is so badly needed, I beg to remain,

Very sincerely,

J. W. NEAL, Health Officer.

CLEVELAND

DECEMBER 23, 1930.

Hon. ROBERT M. LA FOLLETTE, Jr.,

Chairman of Committee on Manufactures,

United States Senate, Washington, D. C.

MY DEAR SENATOR LA FOLLETTE: In answer to your recent letter, I beg to advise as follows:

It is estimated that 40,000 to 45,000 persons are unemployed in this community. This estimate is made on the basis of a certain system which has been adopted by the State-City Free Employment Bureau, which involves an index based upon the number of times an applicant has to apply before receiving a position.

The city of Cleveland does not give direct relief. All such cases are handled by the Welfare Federation. The city, of course, operates hospitals, infirmaries, etc.

The Welfare Federation informs me that about 4,000 families are being aided now, as compared with 1,000 families two years ago, and that during these two years there have been additional appropriations in the amount of \$1,500,000 for such purposes. They estimate that if conditions continue as they are, it is probable that the number of families who will require relief would increase to 6,000.

Of course, it is apparent that any assistance given by any agency would help to extend relief. I do not know whether it would lessen the burden on the local taxpayers, as I assume that they would be called upon to pay their share of the cost of furnishing the money for this additional assistance.

As I explained above, this city does not engage in direct relief. Under our Ohio laws the municipalities have the power to issue bonds by vote of the council alone in the amount of 90 per cent by which the net indebtedness of the municipality is reduced in a given year. Under this authority the city of Cleveland has issued \$750,000 in bonds and is now employing about 1,800 men for emergency work in our parks and on our streets in developing capital improvements. These men are employed in 3-day shifts in addition to our usual force. To obtain a list of the unemployed we have had two registrations and have registered about 17,000 men. Fortunately there was before the voters at the November election an extensive program of public improvements and certain tax levies, all of which the voters approved by substantial majorities, the funds for which will be available soon, and our purpose is to engage in just as much public work with this money as is practical after the first of the year. Plans and specifications are now in the process of development.

By cooperation with the city and the county government, an institution known as the Wayfarer's Lodge, which cares for homeless men, has been enlarged, so that any man may receive food and a night's lodging. In this way we have cut down begging on the streets and have felt it unnecessary to resort to apple selling or other such devices.

Despite all we have been able to do, however, there are a great many people in Cleveland who are reaching the end of their resources, many of whom will lose their equities in homes, furniture, and other personal property if employment can not be obtained in the relatively near future. It seems to me that this group of people, who have had the initiative and courage to invest in homes, for which they have been paying monthly out of their earnings, constitute a very real problem, because if they lose their investments, the attitude of mind of a group of very substantial citizens will be changed, and I doubt whether many would ever undertake a like venture in the future. I do not know whether it would be practical for the Federal Government to engage on any nation-wide scheme of loaning this type of people money or protecting their equities, but I am convinced that this class of our citizens deserves help, if any can possibly be given.

I believe the general impression is that actual want has been reduced to a minimum in this city, but I have no doubt there are many people who really are suffering in spite of the best efforts of our charitable agencies.

If I can be of any further service in providing you with information, I will be glad to advise you.

Very truly yours,

JOHN D. MARSHALL.

COLUMBUS

DECEMBER 20, 1930.

Hon. ROBERT M. LA FOLLETTE, Jr.,

United States Senate, Washington, D. C.

DEAR SIR: In reply to your letter of December 13:

1. Approximately how many people are unemployed in your community?

Answer. Unemployed about 12,000.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. Double that of last year and the year before.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. 1928, \$54,000; 1929, \$62,000; 1930, \$115,000.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. Four thousand families at peak load (20,000 people).

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. I can not figure where the Federal Government can be of any real service.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago.

Answer. 1929, \$464,000; 1930, \$439,000; 1931, \$600,000.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. I have little faith in the ability of the Federal Government to give any help.

8. A brief statement of the general situation in your community.

Answer. Industry reducing steadily its hours of work and the number employed. Families suffering from prolonged malnutrition due to low rationing. Evictions increasing.

In my opinion, if the United States Government would get down to earth and create confidence in the people it would be a wonderful help. The taking over of the railroads by the Government and their frightful mishandling, and the great army of men that have been let off in the last number of years, and the little faith the people still have in the Government trying to control conditions, must be considered. I am a believer in municipal owner-

ship, but the Government's failure has been a great disappointment, and the people are now commencing to blame Congress for the present condition of affairs.

Yours very truly,

JAS. J. THOMAS, Mayor.

ELYRIA

DECEMBER 20, 1930.

HON. ROBERT M. LA FOLLETTE,
Committee on Manufactures,
United States Senate, Washington, D. C.

DEAR SIR: In reply to your letter of December 13, I wish to give you the following, answering your questions by number.

1. Approximately how many people are unemployed in your community?

Answer. Approximately 500.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. One hundred per cent.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. Three hundred per cent.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. Ten to fifteen per cent over present number.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. Yes.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. Associated Charities, Salvation Army, churches, American Legion, and the Community Service Council are all operating through a centralized agency provided by the city to furnish the necessary relief in the nature of food, fuel, and clothing.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. No. For the reason that I believe this would be regarded as a dole, and I am of the opinion that our citizens want work rather than dole.

8. A brief statement of the general situation in your community.

Answer. Elyria is a city of 25,600, and the general situation is very bad, but I believe the citizens are awake to the seriousness of the situation and can furnish the necessary temporary relief; but by reason of unemployment many of our citizens are becoming hopelessly involved in debt, and this, of course, affects the retailers in a serious way, also owners of property. I believe the Federal Government should at once appropriate money for construction purposes in order to provide our citizens with work.

Yours very truly,

JAS. A. HEWITT, Mayor.

POSTORIA

1. Approximately how many people are unemployed in your community?

Answer. Four hundred.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. (a) 100 per cent; (b) 500 per cent.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. (a) 200 per cent; (b) 1,000 per cent.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. Five hundred per cent.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. Yes.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. About equal to city.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. Yes.

8. A brief statement of the general situation in your community.

Answer. Our city is largely connected with the automotive industry and has been very hard hit.

H. W. WHITTA, Mayor.

KENT

DECEMBER 15, 1930.

COMMITTEE ON MANUFACTURES,
United States Senate, Washington, D. C.

GENTLEMEN: Replying to your letter of December 13:

1. Approximately how many people are unemployed in your community?

Answer. In a careful canvass of our community in November by the police department, assisted by the Post Office Department

and the mail carriers, we found 125 men unemployed. About 50 of these were unemployable due to age and other infirmities.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. The city government has made earnest effort to find work, this being much more desirable to the men themselves than charitable aid. We have thus provided relief on unimproved roads, new pavings, waterworks installation, and now an addition to the city hall which has probably doubled the number that were helped last year. Possibly one-third of our present unemployment existed also a year ago.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. The city government has not increased its appropriation for charitable relief over last year or the previous year. Our welfare association, voluntary contribution, doubled its quota—raising \$6,000 instead of \$3,000 for this purpose.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. We do not believe there will be any increase in number requiring relief. In other words, we feel that the maximum in our locality has now been reached.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. Assistance of Federal Government would unquestionably lessen the burden of local taxpayers, but we believe the situation is in hand and should be met locally.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. The municipality, various householders and individuals, and all of the factories and the schools have cooperated in extending opportunities for employment. In many cases this has been arranged so as to give two or three days a week to a larger number. The private relief is largely done by the welfare association, who, as said above, have doubled their appropriation over the two years previous. Various associations, such as Elks, Eagles, and individuals, have contributed clothing, shoes, coal, etc., generally on order either from the welfare association or the city administration.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. We believe it would be a splendid service for the Federal Government to expedite Federal contracts on typically Federal work, but we do not believe that the situation merits or justifies assistance to the city or State governments. With the natural assistance from Federal contracts that may be speeded up, such as post-office buildings, highways, docks, harbors, etc., we believe the situation will work out more satisfactorily and more completely in the long run if no Federal assistance is given to the local political units.

8. A brief statement of the general situation in your community.

Answer. A rather large number of people have migrated to our section in the last 5 or 10 years and this tends to complicate our problem. Our largest factory failed and went through bankruptcy within the past five years, and the Erie Railroad Co. summarily closed their repair shops. These two events have thrown a heavy burden on this municipality for the past five years, but the situation has been met locally and is being solved with a minimum of suffering and distress among the poor sections. We are fortunate in having a State college located here, and its increasing enrollment of students has had a decidedly steady effect.

Very truly yours,

ROY H. SMITH, Mayor.

LIMA

FAMILY WELFARE ASSOCIATION,
December 31, 1930.

ROBERT M. LA FOLLETTE, JR.,
Chairman Committee on Manufactures,
United States Senate, Washington, D. C.

DEAR SIR: In answer to your letter of December 13, 1930.

1. Approximately how many people are unemployed in your community?

Answer. According to figures compiled by our city employment office and Family Welfare Association, there are approximately 3,000 unemployed who are employable in our community.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. There is a 300 per cent increase of relief going into families over that of last year and about 350 per cent over that of two years ago. As to the number of families under care, the Family Welfare Association and the Salvation Army are semi-private organizations and are the only relief-giving associations in the city. The Salvation Army figures are not available. The Family Welfare carried a total of 195 families in December, 1928; in December of 1929 they carried 176 families, and in December of 1930 they carried 407 families.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. The city of Lima met debts contracted by the Family Welfare Association over and above their appropriation from the community chest to the amount of \$6,500 during 1930.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. During the month of December, 1930, the number of families applying for assistance up to date is 231, which is an increase of 100 per cent over November, 1930. We believe that relief will be necessary in an average of 500 families a month from now until the 1st of April.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. A public-works program by the Federal Government would hardly get under way quickly enough this year to lessen the burden on local taxpayers to any extent.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. Family Welfare Association under the community chest receives an annual appropriation of \$12,500; Salvation Army receives an appropriation of \$4,500; the sum of these amounts is the extent of relief being extended by private agencies. The community chest has failed for the last two years and there has been, therefore, no increase in the amount of relief given.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. The present industrial depression is only one of a number of such depressions, which apparently come in cycles, and we believe that, as a family agency, the burden of unemployment is justifiably chargeable to industry and should be planned for through a sinking fund or some such arrangement. We furthermore believe that as the industrial compensation law has been of most benefit because of the safety devices installed, the safety rules and regulations that have been enforced in factories, preventing accidents, so some sort of an unemployment-fund legislation will tend to stabilize industries.

8. A brief statement of the general situation in your community.

Answer. Lima is, in comparison with other cities, in fair condition. Our factories as a whole are running on a minimum number and a part-time basis. The men employed are earning from \$12 to \$16 a week. This is not sufficient income to maintain a minimum standard of living and our families are suffering from malnutrition, lack of warm clothing, and in many cases are living in insanitary houses. Our board of health is unable to cope with the situation where the landlord is asking a family to move for nonpayment of rent and where, due to bursted water pipes, the family have no water supply and where, due to insufficient or no income, the family have no money on which to move and the landlord refuses to repair the plumbing.

Sincerely,

DORIS M. CANGNEY, *Secretary.*

MARIETTA

1. Approximately how many people are unemployed in your community?

Answer. Three hundred.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. Two hundred.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. One thousand dollars.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. Two hundred and fifty to three hundred.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. Yes.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. About 75 per cent.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. Yes.

8. A brief statement of the general situation in your community.

Answer. There is not much prospect for better conditions.

NILES

DECEMBER 19, 1930.

Mr. ROBERT M. LA FOLLETTE,
United States Senate, Washington, D. C.

DEAR SIR: The following are the answers to the questions sent by you to this office on December 13, 1930:

1. Approximately how many people are unemployed in your community?

Answer. There are 686 registered in the employment bureau, which is about one-half of the unemployed.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. The number of persons asking aid has increased 100 per cent over last year. Practically no unemployed two years ago.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. Appropriations for relief have increased 100 per cent and this is insufficient.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. Increase during the winter months will be between 15 and 25 per cent more than at present. (So far an open winter.)

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. Yes.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. Red cross, fraternal organizations, and community corporation 100 per cent above last year and many times over two years ago.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. Yes.

8. A brief statement of the general situation in your community.

Answer. The principal industry in Niles is sheet steel, working about 30 to 35 per cent capacity. The diversified industry is working about 50 per cent capacity.

Yours very truly,

GEO. O. MARSHALL, *Mayor.*

SHELBY

DECEMBER 19, 1930.

Hon. ROBERT M. LA FOLLETTE, Jr.,

Senate Office Building, Washington, D. C.

DEAR SIR: Answering your circular letter, will say in answer to your questions, as follows:

1. Approximately how many people are unemployed in your community?

Answer. Believe there is approximately 200 to 300 men out of work in this city.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. Two years ago there was very little call for assistance. Last year a considerable call for assistance, and this year there are many families in destitute circumstances who will be assisted by the city and by a charity board organized by the community fund committee.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. The city's appropriations have not been increased because of cramped financial conditions and, further, because the city depends to a large extent upon the charity board.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. Employment conditions are no better, and we anticipate that there will be some increase in those desiring relief.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. Assistance by the Federal Government would certainly help both the taxpayer and the needy.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. Our relief is largely from this charity board, whose funds are derived through the usual community chest process and from charity football games, card parties, and picture shows. The work of this board has probably increased 100 per cent over last year.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. I favor such a program as an equitable distribution of the burden brought about by the unemployment situation.

8. A brief statement of the general situation in your community.

Answer. Our community is almost entirely white American born, and I do not believe the situation here is as bad as some places. However, those who have been out of employment for a long time have about reached the end of their reserve funds, and general business conditions are certainly no better than they were a year ago. The result probably will be that more assistance will be necessary before the winter is entirely over.

Very truly yours,

G. W. MARIOTT, *Mayor.*

WAPAKONETA

DECEMBER 25, 1930.

Mr. ROBERT M. LA FOLLETTE.

DEAR SIR: I will give you a brief outline of the conditions in our city.

1. Approximately how many people are unemployed in your community?

Answer. About 50 per cent of our labor is out of work.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. It has increased about 100 per cent in the last two years.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. We are going to have to more than double our appropriations and that won't be very much. We have not very much left for the poor fund.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. About 100 per cent.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. Yes.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. Our aid society, lodges, and churches are taking care of our poor right now until after the new year. Our city funds are exhausted.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. Yes.

8. A brief statement of the general situation in your community.

Answer. We have organized a community relief fund and are taking donations now. At present we have about \$1,000 and are making a drive for \$3,500, which I believe we will get; after which we will have relief headquarters where the people can apply for relief. We have a relief director and investigator. With this organization we expect to get by this winter.

Sincerely yours,

FRANK BUDDE, Mayor.

OKLAHOMA
MUSKOGEE

DECEMBER 18, 1930.

HON. ROBERT M. LA FOLLETTE, JR.,

United States Senate, Washington, D. C.

DEAR SENATOR: Replying to your letter of the 13th instant, we have just completed a survey of unemployment in this city which indicates that there are about 1,400 unemployed here, of which about 800 are colored. Most of these colored people live by casual jobs; probably we could register about the same number of them at any time during the year. Of the unemployed whites, about three-fourths are day laborers. Our population is 32,006.

There is no question but what there is considerably more unemployment than there was a year ago. I would estimate it to be one-third more. We have not increased our city appropriations any, but our private relief agencies are stressed to the limit and will have to be aided from some source before long.

I certainly favor the Federal Government appropriating a sum of money that will share this burden with the city and the State.

Sincerely yours,

E. J. PHELPS, Mayor.

NORMAN

1. Approximately how many people are unemployed in your community?

Answer. One hundred and fifty.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. One year ago 50, two years ago 40.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. None.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. One hundred per cent.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. No.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. None.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State Governments the increased relief burdens that the present emergency has necessitated?

Answer. No.

8. A brief statement of the general situation in your community.

Answer. If we could get the Government to proceed with the building of a Federal post office it would help unemployment in Norman, Okla.

T. JACK FOSTER, Mayor.

OKLAHOMA CITY

DECEMBER 19, 1930.

HON. ROBERT M. LA FOLLETTE,

United States Senator from Wisconsin,
Washington, D. C.

DEAR SENATOR LA FOLLETTE: Please allow me to submit a plan for the abolition of unemployment in all nations:

The International Disarmament Conference has proved a great disappointment to the world. So, why not call an international conference on finance to stop this international business depression and create an international market for industrial and agricultural products, thus stopping unemployment on a grand scale in all nations? The cause of unemployment is not so much overproduction as underconsumption caused by insufficient money and international credits. People can not buy because they have no money. Why not establish an international credit for all nations of, say, \$10 per capita population according to the last known census count of each nation? We already have an international bank in Basel, Switzerland, which could be used as a bank of issue for the credits of all nations, as well as a clearing house for all the nations:

1. Let each nation appoint one member as a financial director on the board of the international bank of issue at Basel, Switzerland, to help supervise and guide the affairs of the bank.

2. Establish an international exchange bank and clearing house in every nation to handle the international money or credits.

3. Let the directors of the international bank of issue be the presidents of their own national exchange bank or clearing house.

4. The international bank at Basel, Switzerland, shall be created a bank of issue and shall print and distribute the credit money, called trade note or dollar, allowed to each nation upon the basis of their per capita population. This international credit, or trade note, or dollar, should be issued solely to foster industry and commerce and shall not be used to pay war debts or loans created prior to the issue of the credit, or money, voted by the nations.

5. This international credit, or money, shall be honored and accepted by each nation at the par value or designated market thereon, on equal basis with gold for merchandise or raw products and imports, and for export balances due each nation.

This would enable each nation to buy and exchange products with each other, create and stabilize the trade, make for peace, and eventually stop the desire for revenge and war.

All old debts or obligations would still be payable in gold and thus it would not disturb the economic equilibrium of the nations, as all the money now in use by each nation, based upon the gold standard, could still be used alongside of the international trade dollar or trade note.

Each international Government would appoint the board of directors of the exchange bank of its own nation. The larger the nation, the larger credit they would have on the international market. Thus it would be fair to all nations. The trade dollar or note should be of the equal value of the American gold dollar, which system lends itself best for international commerce.

Why have hard times if a little common sense on the part of the government of all nations could avoid or abolish them?

Very respectfully,

A. BURRY.

FICHER

1. Approximately how many people are unemployed in your community?

Answer. One-fourth.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. Ten per cent.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. About two-thirds more than two years ago; one-fourth more than last year.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. Ten per cent.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. I can not say at this time.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. It is all by private relief.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. Yes.

8. A brief statement of the general situation in your community.

Answer. It is very bad.

J. H. KLINEFELTER, Mayor.

SAPULPA

DECEMBER 6, 1930.

HON. ROBERT M. LA FOLLETTE, JR.,

Washington, D. C.

MY DEAR SENATOR: In reply to your questionnaire of the 13th instant on unemployment in our city, I have the following to say:

1. Approximately how many people are unemployed in your community?

Answer. There are about 150 men unemployed in our city. This, of course, means 500 people to be supported by the city.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. Two years ago the number asking aid was very negligible; in fact, the city government did not feed but very few. Last winter we had quite a number to aid from city funds. At this time it seems like we are going to have to aid quite a large

portion of our laboring class of people; in fact, would say I believe we will have as much as 500 per cent more to care for than we had last winter.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answered in 2.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answered in 2.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. As to Government aid, I do not approve of this myself under ordinary circumstances, but, owing to the general depression and the city being short of funds on account of delinquent taxes and other sources of income, I believe help from the Federal Government would be very acceptable, as I do not see how we are going to offer the amount of aid which will be necessary without bankrupting our city.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. The Salvation Army has quite a large fund which was contributed by the citizens. The city has a small charity fund, and we have also organized an aid society which has received quite a large donation of groceries, old clothes, etc., from the citizens of the town.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. I certainly favor Government aid under present conditions. Of course, this is not in accord with my own individual opinion of the Government issuing doles, as I believe it encourages the lazy, worthless class of people which we have in all communities to expect aid every time the weather is a little too cold for their clothes.

8. A brief statement of the general situation in your community.

Answer. Our city has a population of 10,533, according to the last census. We at one time were a flourishing railroad and oil city but about three years ago the railroad moved their shops, which hurt, and the oil business is practically done in our immediate vicinity, which has a tendency to cause quite a number of people to be without jobs. As is the case all over the country, it is hard for people to get down to living within their income brought about by the economical condition of the country, and also, as my own individual idea, too many people have to buy gasoline when they could walk. We have a fairly healthy condition among our citizens here; in fact, the only disease of any extent here is Hooveritis.

I was a great admirer of your illustrious father, and have been watching your stand on governmental affairs, which I think are in the same channel which your father ran.

Awaiting the pleasure of your body, and the pen in the hand of "Herb" at the other end of that historic street, I am,

Very truly yours for prosperity,

LAKE SPEER, Mayor.

SHAWNEE

DECEMBER 13, 1930.

HON. ROBERT M. LA FOLLETTE, JR.,
United States Senate, Washington, D. C.

DEAR SIR: In reply to your letter of December 13, relative to the unemployment and relief I will endeavor to answer by numbers.

1. Approximately how many people are unemployed in your community?

Answer. Approximately 570 have registered at the Free Employment Labor Bureau established at the city hall, most of whom claim to be destitute and badly in need of employment. This number consists principally of unorganized labor. There is no building going on to speak of, the result being that practically all building tradesmen are virtually unemployed. The Rock Island Railroad laid off 425 men on the 15th, which adds to the previous number of Rock Island employees unemployed, making a total of approximately 600 Rock Island employees off duty. The Rock Island Railroad and the employees' organizations in this locality are taking care of their own unemployed in this city and they are not at this time thrown on the labor market. Summing up question No. 1, I would estimate that there are between twelve and fifteen hundred unemployed in Shawnee, a city of 23,000 population.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. The city government was not called upon to any great extent for aid two years ago. Last year, however, the problem of providing aid for our citizens began to get acute during the months of December, 1929, and January and February, 1930. This year the problem has at least increased three or four times over that of last year.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. We are limited as a city government to increase our appropriations for any problem by our State government and statutory provisions. We have not been able to extend any relief to speak of to the unemployed because of these limitations. These limitations are not flexible and we have no provisions

whereby an emergency such as the present one can be met by additional appropriation.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. The answer to this question is rather problematical. We have no legal status as to what will happen during the next few months but we expect the number to increase daily during the winter months.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. Yes; the assistance of the Federal Government would be of great value in extending relief to the needy and lessen the burden of local taxpayers.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. Heretofore the local community chest fund has been able to take care of the situation fairly well during the entire year, including the winter months. This year, however, the chamber of commerce is starting a program that will unite all relief agencies, including churches, civic clubs, individuals, and other institutions on a centralized relief program. One of our local bankers is providing funds by gift sufficient to take care of the needy families until December 26, 1930. The chamber of commerce and other agencies as set forth above have just about agreed upon a program that will result in assigning needy families to different individuals and institutions for the next three or four months. These families are so assigned that they will be provided with the necessities of life by the institutions and individuals who agree to such a responsibility. This program is only temporary in nature and is set up for the purpose of helping for three or four months with the hope that the State and Federal Government will be able to come to our rescue at that time. There has been a complete increase over the last year and two years ago.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. We favor the Federal Government appropriating the sum of money and providing such legislation as will cause these tremendous burdens to be equitably borne by our entire Government agencies.

8. A brief statement of the general situation in your community.

Answer. Our situation is very acute and the problems are becoming more burdensome every day. We are depending upon our Federal Government to rise to the situation and restore confidence to our people to such an extent as affording an opportunity for work which will again be available in our Nation for all men who honestly desire to render service.

Yours very truly,

T. E. THOMPSON, City Manager.

OREGON

BAKER

DECEMBER 17, 1930.

HON. ROBERT M. LA FOLLETTE, JR.,
United States Senate.

DEAR SIR: Thanks for your letter of the 13th with reference to unemployment and general economic depression.

1. Approximately how many people are unemployed in your community?

Answer. There are approximately 200 unemployed people in our city.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. Last year and two years ago were probably about the same. This year there is an increase in requests for aid of at least 100 per cent.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. The usual appropriation by the city for charity has been \$200. On December 1 this year this item was increased to \$2,200 on the city budget request to the county assessor.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. We anticipate the increase in the number requiring relief during the coming winter months will be about in the same proportion as in section 3 above.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. Yes, indeed.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. All relief agencies of the city are organized under one head to prevent duplication and are now functioning nicely. A special drive was necessary this year which raised \$2,000 in addition to the usual amount in the past.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. Yes. We understand appropriations now under way will do that.

8. A brief statement of the general situation in your community.

Answer. Depression locally is due to depression in the lumber market. Local mills hope to increase operations to some extent in January. Local pay rolls practically all depend on lumber industry.

Very truly yours,

WALTER A. CLARK, Auditor.

BEND

DECEMBER 22, 1930.

MR. ROBERT M. LA FOLLETTE, JR.,
United States Senate, Washington, D. C.

MY DEAR SENATOR: Your circular letter of the 13th instant addressed to the mayor has been handed to the undersigned for answer.

There are approximately 1,150 unemployed men in our community, including men who have been regularly employed in the logging camps operated by the local mills.

Our municipality has never appropriated or included in its budget any aid either for indigents or unemployed. This year, however, have appropriated the sum of \$50 a month to the Salvation Army to assist them in caring for the floating population of unemployed.

It is the opinion of the writer that the number of unemployed will not increase over and above the amount now unemployed, but that the number requiring relief will increase a thousand per cent during that time. This will be occasioned by the various families consuming all of their savings before the mills can possibly reopen in the spring.

Private relief agencies are taking care of the relief work, with the exception of the county appropriations which is being handled through the Red Cross. The amount of relief by these agencies has increased to five times the amount that was used last year and about six and one-half times as much as two years ago.

Our community is practically dependent upon the two local lumber mills, which in normal times employ around 2,300 men and which at this time are employing less than 900. There is no other work available, except a minor construction job under the State highway commission.

Any relief the Federal Government could give to this community, including a start of immediate construction on the post-office building, would be greatly appreciated.

Very truly yours,

R. B. PARSONS, City Attorney.

THE DALLES

DECEMBER 23, 1930.

HON. ROBERT M. LA FOLLETTE,
Senate Office Building, Washington, D. C.

DEAR SIR: Your letter of December 13 addressed to A. W. Manchester, mayor of The Dalles, Oreg., asking certain information regarding the unemployment situation in this community, has been turned over to me for attention, for the reason that all relief work here is in the hands of the county rather than the city government.

As nearly as can be estimated the following is a statement of the information requested:

1. Approximately how many people are unemployed in your community?

Answer. Two hundred and fifty to three hundred men unemployed in county.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. Increased 50 per cent over 1929 and 100 per cent over 1928.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. County relief appropriation increased 50 per cent over 1929 and 65 per cent over 1928.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. Unemployment now at peak. No further increase probable.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. Federal assistance will lessen local burden.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. Some relief by Salvation Army and Red Cross. Funds limited; also churches and lodges are assisting.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. I favor Federal appropriation to relieve the burden on local taxpayers. Tax situation in this section is very burdensome, due to depression in farm products and business in general.

8. A brief statement of the general situation in your community.

Answer. The situation in Wasco County is very similar to that in other sections of this State, where farming is the source of most of our business and employment. Wheat farmers are in desperate plight and there seems no prospect of relief for them. The fruit growers are in better condition.

Our pay rolls, except that of railroad company, are seasonal, being canneries and fruit-packing plants. Canneries operated only very few weeks this year, throwing many people out of work in early fall, who generally are employed until Christmas. Rail-

roads have cut down number of employees, and other businesses have reduced to minimum as well as reducing wages.

Trusting that the above report will be of some assistance to you and your committee, I am

Sincerely yours,

F. L. PHIPPS.

LA GRANDE

DECEMBER 26, 1930.

HON. ROBERT M. LA FOLLETTE, JR.,
Member of Senate, Washington, D. C.

HONORABLE AND DEAR SIR: Your letter concerning depression conditions was referred to me by the city commission.

There are approximately 800 people unemployed in our city, 500 of whom have dependants. This is an increase of 617 over last year.

This year we have been compelled to create a central welfare office and raise funds; coordinate our county, city, and fraternal welfare work; and solicit aid from all benevolent sources.

Due to lumber conditions, this being a mill city, we expect this number to exceed 1,000 before spring.

The assistance of the Federal Government is needed.

The commercial clubs, lodges, churches, and many private interests have been assisting in our work, but their possibilities have been largely exhausted.

We started our work by trying to provide employment. We launched a "create-a-job" campaign, the city authorized and set aside a fund for a wood yard. We instituted a "city clean up" and put out several wrecking crews tearing down old buildings, etc.; but this work only uses a limited number. The State highway appropriations made it possible for us to put 120 men out on the highway at \$3 per day for three days per week. As can be seen this is not sufficient, and we are supplying fuel, food, and clothing to many of these as well as to many others whom as yet we have been unable to place. The county judge has been handling the food supply from county funds and is more than using his allowance, calling on private funds, etc. He is crying for assistance.

An appropriation from the Federal Government seems our only hope. We surely favor this plan.

Sincerely yours,

Rev. M. G. TENNYSON, D. D.

OREGON CITY

DECEMBER 22, 1930.

HON. ROBERT M. LA FOLLETTE, JR.,
Washington, D. C.

DEAR SIR: Your letter of December 13 to the mayor of Oregon City has been handed to me for reply.

1. Approximately how many people are unemployed in your community?

Answer. One hundred.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. None.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. None.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. 10 per cent.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. Yes.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. 100 per cent.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. No.

8. A brief statement of the general situation in your community.

Answer. The unemployment situation is much more acute than the other years and no doubt will be more so during the next three or four months. The State, county, and city organizations are doing everything within their power to relieve the situation as far as possible.

However, we do not believe there will be enough work to entirely eliminate the employment situation.

Yours very truly,

J. L. FRANZEN, General Manager.

SALEM

DECEMBER 18, 1930.

HON. ROBERT M. LA FOLLETTE, JR.,
United States Senate, Washington, D. C.

DEAR SENATOR: I am in receipt of your letter of the 13th. In reply beg to advise you we have about 600 people unemployed in the city of Salem and about 1,000 in Marion County. We consider this an increase in the unemployment of about 25 per cent over last year or the year before.

The city budget provides the same as last year, although an additional budget has been allowed for park work in the sum of \$3,000, and on all city departments the budget remains the same

as last year, though the crews have been split up, working three days per week to allow double the number to receive half pay.

The city of Salem is spending \$100,000 this winter on sewer extension, running double crews half shifts.

We do not anticipate any further increase of unemployment throughout the winter, as we think it is at its peak. The State and county highway departments are putting on a working program that will employ several hundred people. They are listing all applicants and examining them as to their needs, and work will be given those out of jobs and in distress first.

The assistance of the Federal Government would help to extend the relief work. However, in my judgment it will not be necessary as far as Salem and Marion County are concerned, as I believe we can take care of our situation.

All our local civic clubs realize the greater number of unemployed and people in distress and are raising larger budgets than heretofore. The Salvation Army and associated charities are doing likewise.

I think where the situation is acute and the distress and suffering great, the Federal Government should assist the city and State Governments at this time of need, but in these places only.

I am of the opinion that we may be more fortunately situated than the more congested sections.

Thanking you for your interest in this matter, I remain,

Yours sincerely,

T. A. LIVESLEY, Mayor.

SOUTH CAROLINA

COLUMBIA

JANUARY 2, 1931.

Hon. DAVID I. WALSH,

Committee on Finance, United States Senate,
Washington, D. C.

MY DEAR SENATOR WALSH: Your letter of December 13, addressed to Mayor L. B. Owens, has been referred to me for answering. I shall consider your questions in order.

1. Approximately how many people are unemployed in your community?

Answer. In three weeks' time 2,500 people have registered as being unemployed. These are residents of Columbia and Richland County. It is difficult to state what proportion of these are employed in normal times, since there are no figures available for comparison. Columbia is a city with a population of 50,000.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. The associated charities administers the county and city outdoor-relief funds. The number of families under care in November, 1929, was 265. The number of families under care in November, 1930, was 497. There had been little increase in November, 1929, over 1928.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. The appropriation made by city council for outdoor relief was \$4,000 each year during 1928, 1929, 1930. Within the last 10 days city council has made an additional appropriation for the year 1930 of \$1,775.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. From present indications we believe that the number requiring relief will greatly increase during the winter months. It is difficult to forecast the extent of the increase, but it is possible that the months of January, February, and March may see the number of families requiring relief increased 100 per cent.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. The assistance of the Federal Government could help materially to extend relief to the needy and lessen the burden on local tax bearers.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. The associated charities is a private relief organization and has resources equal to the combined appropriations of city and county. The Salvation Army is the only other relief-giving agency in the city. The proportion of increase has been answered in question No. 3.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. The outstanding responsibility of both local and Federal governmental agencies is to relieve the suffering that is caused by unemployment. If adequate relief can be supplied by local agencies its burden should be carried locally, but certainly if the local tax funds are insufficient, the Federal Government should extend aid. It is unthinkable that in America men and women who are able and anxious to work, should be deprived of the opportunity through no fault of their own; and if they are prevented from supporting their families the Government should unquestionably assume the obligation.

8. A brief statement of the general situation in your community.

Answer. The situation in Columbia, S. C., does not appear to be so critical as that of other cities. The State is largely rural and is not greatly dependent upon industry. Until the last six weeks there has been an unusual amount of building and public improvement. The State is engaged in a \$60,000,000 road-building

program. One cotton mill has closed, probably not to reopen, throwing out 60 families. Another cotton mill was closed for eight months, but has lately reopened and is running on a partial-time basis. The chief textile industry, operating four mills in the city, is in the process of discontinuing night work and in the next month or so will have discharged between twelve and fifteen hundred employees.

We trust that this information will be of service to your committee.

Sincerely yours,

JANE I. HOUSER.

SOUTH DAKOTA

SIOUX FALLS

DECEMBER 17, 1930.

Senator ROBERT M. LA FOLLETTE,

Washington, D. C.

MY DEAR SENATOR: In reply to your letter of inquiry, will state that we have not very many men out of employment at the present time. We have had a considerable amount of work all fall. We are putting on a sewer-building program after the first of the year which we figure will take care of most of our unemployment.

The labor situation is not bad here at all. If there is anything further that you would like to know in particular I will be glad to furnish it to you.

I might suggest that you call on Congressman CHRISTOPHERSON. He can inform you in regard to the labor situation in Sioux Falls, as he is always in close touch with the labor situation in Sioux Falls and knows most of our working people personally.

Yours sincerely,

GEO. W. BURNSIDE, Mayor.

WATERTOWN

DECEMBER 29, 1930.

Hon. ROBERT M. LA FOLLETTE, Jr.,

Senate Building, Washington, D. C.

MY DEAR SENATOR LA FOLLETTE: I have your letter of December 13.

You have asked me to answer eight questions, which I shall be very glad to do. I point out to you, however, that my answers and explanatory comment attendant upon them is merely my personal opinion, based upon observation of and contact with the problems concerning which you inquire. In this letter I am not speaking to you as a city official or as a representative of any civic group or organization. My answers and comment might vary in large degree from that which others in this community might give you had the questions been put to them:

1. Approximately how many people are unemployed in your community?

Answer. I believe that at the present time there are no more unemployed persons in this community than at any similar period in the last 10 years. An estimate of the number would be merely a guess, and I would not hazard an opinion. There are in this city many men who are at present not working, but who should not be classed as "unemployed" in the ordinary usage of the term. These men, farmers, certain classes of railroad employees, laborers, artisans, carpenters, mechanics, and a host of others, find lucrative, concentrated, and continuous employment during certain definite seasons of the year, and during these seasons make adequate and necessary provision for themselves and their families for periods of the year, like the present, when there is no demand for their labor or services. Undoubtedly this same situation applies to millions of men in various parts of this country. Some of these men, while not actually in need, being human, would probably not be averse to accepting aid from governmental agencies, if they were convinced by appropriate and organized propaganda that they were not only entitled to it but actually needed it.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. Our city does not engage in poor relief or its kindred work. Our county is equipped and prepared to carry on this character of endeavor. I am informed that this county has aided no more people this year than last. In fact, the records disclose that there was \$2,150 less appropriated this year by the county for charitable purposes than in the year 1929, or a reduction of 12 per cent. This latter statement covers your question No. 3.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. I am reliably informed and believe that there will be no increase whatever in the demands upon the county and the many charitable organizations of the city during the coming winter months over similar periods in the past.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. Emphatically, no. I beg your leave to comment briefly on this question, and also question No. 7, at the conclusion of this letter.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. As in every community in the country, Watertown has a large number of worthy private relief agencies. Every church, every social, fraternal, and business club, the American Legion, the Salvation Army, the Red Cross, is an actual or potential charitable organization, ready, anxious, and willing to relieve the poor and

needy. These groups at times distribute food and clothing, assist when necessary with medical care, and the like. These groups are constantly on the lookout for outlets for their activities. My opinion is that their activity has not greatly increased, if at all, this year over previous years.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. Emphatically, no.

8. A brief statement of the general situation in your community.

Answer. An answer to this question is probably made unnecessary by the foregoing answers.

The fact that some of the members of the United States Senate feel very strongly that present conditions require the Federal Government to assist the various State governments and municipalities in the handling of problems in a financial way, is so pregnant with portents for the future of our Nation, that I can not but beg your indulgence for a few words of comment.

The appropriation of money by the Government of the United States of America for delivery to the various States and municipalities to be used in the relief of distress or poverty, or as a dole to the men and women temporarily without work, would be nothing short of a tragic national calamity. The seriousness of the calamity could not be measured by the amount of money thus expended, but could only be really understood by a sober appreciation of the fact that a fundamental principle of American Government has been shattered and sacrificed upon the altars of thoughtlessness, immature judgment, and hysteria, and that a priceless heritage of our people has been bartered for temporary political prestige for those sponsoring such an unsound and irrational program as suggested in your communication.

I do not mean to say that the financial aspect of such a program suggested is not serious. It is tragically serious. Your letter suggests that the tax burden of this Nation, already staggering, already confiscatory, already so burdensome that private business and enterprise is threatened with collapse, be further increased in order that the hazy nebulous idea known as "temporary relief" be realized. The suggestion, logically interpreted in the light of present well-known economic facts, means that legitimate business and enterprise will be throttled with the tourniquet of taxation for the purpose of "temporary relief," with the result that the very source of employment, security, and prosperity for the farmer and the laboring men and wage earner in every line will be partially paralyzed, if not actually permanently impaired.

However, passing the feature of the financial tragedy involved, the permanent bureaucracies established, the inevitable extravagance and waste, the unintelligent and inexperienced spending of public money for a purpose as hazy and remote as locating the foot of a rainbow, I return but for a moment to the violation of the fundamental principles of government your communication suggests. In the final analysis your suggestion means that the Government would become a charity-dispensing organization. A schoolboy but superficially learned in the science of government and in the basic principles of our constitution would scoff at the idea as preposterous. The problem of poverty and unemployment in this country is as complex and varied as the country and its interests are complex and varied. Each State and each city and community in that State has its peculiar and individual problems in this regard to contend with and to solve. The unemployment situation in the State of Washington is, in almost every particular, a different one than that of the Commonwealth of Massachusetts. The situation is even varied and different in separate sections of the same State. How could the United States Government hope to intelligently adopt a national program of relief, necessarily standardized, that would fit all conditions? Manifestly it is impossible.

The intervention of the Government, assuming that such intervention was legally and morally conscionable, is totally unnecessary. Every city and county in the Nation has an abundance of public, semipublic, and private organizations equipped to relieve distress and want. In our own community of approximately 10,000 people I know of 40 such organizations, aside from public ones, ready, able, willing, and anxious to perform charitable work of every known kind and description. In the larger communities I am confident that their numbers run into the thousands, and throughout the Nation into the hundreds of thousands, even in these organizations the more intelligent and cautious leaders realize very keenly that their efforts at relief very often temporarily effect the desired purpose but also astonishingly operate to create the need for more relief. These intelligent men and women of whom I speak realize that true charity and true relief more often than is generally realized, consists in the development of the character and situation of the individual to a point where he can and will voluntarily spurn the gratuities of his well-meaning benefactors, rather than the self-respect destroying indiscriminate and unearned donations from public and private sources, inspired and impelled by an emotion rather than good sense. The dole, is an emblem of defeat and of complete economic collapse. The dole, and all it stands for and implies, can ruin the morale and character of any people on the face of the earth.

Economic depression is with us, and with it its many resultant evils and problems. The American people, in their respective capacities, with their generous heart and spirit and resourcefulness and their faculty for spontaneous organization to meet any emergency, can meet the present difficulty if they are allowed to remain unfettered and unburdened by Federal interference with its consequent tax burdens. Public works and construction in

various localities are already relieving the situation in a large measure, and will continue to relieve it so long as those in control of basic commodities used in this public construction are not allowed to effect radical and unjustifiable advances in the price of these commodities. There are, unfortunately, indications of such greed on the part of those who control these commodities, and it is hoped that their activities in this regard will come under the close scrutiny of those who have the power to halt them in their selfish program. Local and civic pride is part and parcel of every individual in this land, and so long as local pride remains, local obligations will not be neglected. We do not want charity as much as we need justice. We do not need "unemployment relief," or any other type of charitable relief, as much as we need a fair price or exchange basis for the things we produce as compared to the price of things we have to buy. I do not speak for my fellow citizens but if I did I think I could say to you that the city of Watertown serves notice upon the Government of the United States of America that our problems are our own individual ones, and that we will solve them; that our poor and our unemployed are our own and that we will care for them, protect them and make provision for their future as self-respecting and useful members of society; that we resent any suggestion of unwarranted, illegal, and unnecessary interference by the Federal Government; that we demand that our business, our farms, and our industries be not further destroyed by mounting taxes. I hope that every city, county, and State will hurl this defiance at those who would thus further prostitute the legitimate functions of government.

In closing I respectfully show to you the words of Thomas Babington Macaulay, spoken over 100 years ago. I would that these immortal and prophetic words could be engraved in imperishable letters not only upon the walls of the Congress of the United States, but in the lasting minds and memories of its Members for all time to come:

"Our rulers will best promote the improvement of the Nation by strictly confining themselves to their own legitimate duties—by leaving capital to find its most lucrative course, commodities their fair price, industry and intelligence their natural reward, idleness and folly their natural punishment—by maintaining peace, by defending property, by diminishing the price of law, and by observing strict economy in every department of the state. Let the Government do this—the people will assuredly do the rest."

I have the honor, sir, to be, yours very respectfully,

D. C. NOONAN.

TENNESSEE

CLARKSVILLE

DECEMBER 19, 1930.

Senator ROBERT M. LA FOLLETTE, Jr.,

Washington, D. C.

DEAR SIR: In reply to your inquiry of December 13, I will answer your questions according to their numerical order:

1. Approximately how many people are unemployed in your community?

Answer. There are less than 50 people unemployed in this city who have not a job in view, or who wants to work and can not find work.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. Most of the unemployed here have returned from northern cities where they have been employed by automobile, tire, and other manufacturing. They are natives who have come home.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. Anticipating the unemployment and need among the poor in this community this winter, the city is building water mains and sewerage to relieve this situation to the extent of approximately \$40,000 in excess of last year or two years ago.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. I estimate between 50 and 100, or about 10 people to each 1,000 of our population.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. If we have to borrow money, we have good credit. If the Federal Government will loan it to us at a lower rate of interest than the banks, we will gladly consider such a proposition.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. We have in this city a permanent organization known as the United Charities. This organization takes care of the ordinary charity cases, but realizing the situation this year is more acute, or out of the ordinary, we organized a county relief organization covering the entire county. We have made a survey of the county to ascertain the relief needed. We have raised a fund of approximately 1,500 through public subscriptions. The county is also furnishing work to the unemployed in building county roads. There are also a number of other charitable organizations in this city and county to supplement the above-named. I think it is a fair estimate to state the citizens of this city and county donate at least \$10,000 annually to charity and will exceed that amount this year.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the

increased relief burdens that the present emergency has necessitated?

Answer. I don't favor any city, county, or any other form of government giving money to charity, except to the disabled, aged, and children. To dole money to the physically able breeds indolence. There are many good and honest men out of work who are not ordinary subjects of charity, and if a practical way can be made to loan them enough money to hold body and soul together, and same for those who depend upon them, during this emergency, I think the Federal Government will render a good service in cooperating with city, county, and State governments to that end, provided such means is not contrary to the Constitution.

8. A brief statement of the general situation in your community.

Answer. I think conditions are better in this city and county than in any other section of the country; however, there is much room for improvement here.

Yours very truly,

W. D. HUDSON, Mayor.

COLUMBIA

DECEMBER 17, 1930.

Senator ROBERT M. LA FOLLETTE,
Washington, D. C.

DEAR SENATOR: In reply to the questions in your message of December 13. I am inclosing your letter with answers written in following each question.

The general situation in our community, I think, is worse than has been in several years. It will depend very largely as to the kind of winter we have as to what will be necessary to take care of the poor, needy, and unemployed. We are in the drought section of the country. I think it one of the hardest years we have passed through in quite a while.

I certainly would favor, as everybody will in this section, the Federal Government appropriating a sum of money for the aid of the poor and needy. So far our city has taken pretty good care of them.

Very respectfully,

F. D. CHAFFIN, Mayor.

1. Approximately how many people are unemployed in your community?

Answer. One thousand to one thousand five hundred.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. About 50 per cent.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. Fifty per cent.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. Fifty per cent.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. It will.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. I would say 25 per cent.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. I do.

DYERSBURG

JANUARY 5, 1931.

Senator ROBERT M. LA FOLLETTE,
Washington, D. C.

SIR: This replies to your circular letter of December 15, 1930.

1. Approximately how many people are unemployed in your community?

Answer. There are approximately 1,000 heads of families out of employment in this community at this time.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. Practically none last year were directly aided by the city except in way of hospitalization. This year from 250 to 500 will probably be fed and clothed through city aid.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. Answered in No. 2.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. Answered in No. 2.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. Yes; Federal aid could greatly aid taxpayers who are overburdened.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. All agencies working through Red Cross. The work and aid is increased tenfold, due to drought, short cotton crop, and loss of employment through breaking down of county and State road work and many bank failures.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. I favor the Federal Government appropriating a liberal sum to aid in the care of the poor at this crisis. Small cities and large alike have a condition which they can not cope with unaided.

8. A brief statement of the general situation in your community.

Answer. Condition of the poor is desperate in this community. Hundreds are applying daily to relief agency which is impotent to care for the situation. There is no work for those who would gladly do it. Men who never lacked before are imploring aid for families which can not be met. I join in with the cry of desperate men that something be done at once to help towns and counties to care for these people.

Respectfully,

F. W. LATTI, Mayor.

KNOXVILLE

DECEMBER 20, 1930.

Senator LA FOLLETTE,
Washington, D. C.

MY DEAR SENATOR: Your message to our mayor concerning funds for relief of unemployment highly appreciated by the writer.

This interest of yours in the human, causes the writing of this letter; believing also that Knoxville's needs are elsewhere needs also.

What Knoxville really needs is a new banking system—a system that would loan money to the individual according to their ability to succeed in the line in which they wish to engage in business and the demand of their locality for the supply that they will put out.

Case in point: A few years ago we imported some bankers. A woman, well known in the business world here, applied to said banker for small loan, \$250, bank of which he was head having absorbed other bank where she had heretofore done business. This banker told the applicant that he would be perfectly frank with her; that he "did not like to do business with women, that he knew her type, that she would be into something as long as she lived, and he was not going to begin with her."

The woman told him she could not do business without her bank credit, which she never used for any but small amounts, making her realty holdings support themselves—usually; that she was a merchant, same as if her goods were on a shelf; that she could not carry real estate around in her pocket; but if realty did not do business in a town neither would the banks grow—they might make some money for outside control, but in the final wind-up that kind of policy would come "a cropper," that he was "riding to a fall."

Shortening the account, this bank's doors are now closed, along with some one hundred and fifteen or so others in the balloon. The writer is truly sorry for them all.

But it is not charity that the American man and woman want; it is a chance to do business.

That woman had some \$75,000 of gilt-edge equities that she had made in a few years of conservative fair deals. The above policy forced her to finally go to the 42 per cent loan people to try to "hold on." Is that business for any nation? When can the one of small means ever get his head up at that rate?

This same banker told this woman that it was "not because she was not worth it, or that there was any doubt of her paying it, and he would say that it would be a good loan for the bank," but it was her. He was not going to loan her any money.

And she looked him in the eye and said, "I have faith in God, I do not believe He will let your type of man break my type of woman. Financially you can run me to the wall but you can not break my spirit."

Well, financially she is at the end of the row; she has paid all kinds of interest, now with everything in the world under mortgage and overdue she is still firm in the "faith" and smiling. Just received 1,304 votes on a last-minute announcement as an independent candidate for Lower House of Representatives for Knox County, Tenn. No money, no canvass, no organization, no advertising in papers paid except \$5 in labor paper. No workers. She expects to go in 1932, though.

Now, Senator, along with the rest of the world we too have taken personal interest in your battles for the general good; please, oh please, do get some banks for the little everyday citizen to borrow his common loans from at a regular rate of interest. Why can't our "Uncle Samuel" see that it is the so-called common fellow that needs his attention in this particular respect?

A bank to make ordinary loans from \$5,000 down, say, to \$1, if need be; have seen the need of \$10 to pay insurance many a time for folks.

Now, don't say, "Morris plan"; that means simply anticipation of the fellow's wages and an account of his friends' personal affairs. And, as before said, when can you ever get anywhere paying 42 per cent. When God created all men "free and equal," they should have an equal chance to finance themselves to do business.

My apologies for this matter at length—how else could it be made clear—or have I really made it clear.

Our late Senator Tyson was our friend. Hon. J. WILL TAYLOR can tell you who I am if you want reference, or our mayor, postmaster, etc.

Yours for all of us, and nobody get the hindmost,

Mrs. B. S. WILLIAMS.

TEXAS
ABILENE

DECEMBER 18, 1930.

ROBERT M. LA FOLLETTE,

United States Senate, Washington, D. C.

DEAR SIR: Replying to your letter of December 13, I beg to answer questions contained therein as follows:

There are approximately 500 people unemployed in our community.

The number of persons whom the city government is called upon to aid has increased 100 per cent over the number last year and 150 per cent over the number two years ago.

The city has approximately doubled its appropriations for relief for the unemployed and for the poor this year compared with last year and two years ago. There will be approximately 500 requiring relief during the winter months.

The assistance of the Federal Government in extending relief to the needy has lessened the burden on local taxpayers.

The Salvation Army has instituted a free soup kitchen and is endeavoring to relieve transients, and the United Welfare Association, through private donations and through city and county assistance, is endeavoring to relieve the local people. The relief being extended has increased approximately 100 per cent over last year.

As a relief measure I favor the Federal Government appropriating a sum of money that will aid the city and State governments in their endeavor to relieve the present situation. I especially favor this, due to the fact that approximately 30 per cent of our relief is extended to transients, which is largely a national problem, and should be taken care of by the Federal Government.

The general condition in our community is rather serious, due to the fact that we have had three years of crop failure ending in a serious drought and financial depression. This has resulted in a general depression, throwing men out of employment and causing general suffering in the rural communities.

Yours very truly,

THOS. E. HAYDEN, Jr., Mayor.

BRYAN

DECEMBER 27, 1930.

HON. ROBERT M. LA FOLLETTE, Jr.,

United States Senate, Washington, D. C.

DEAR SENATOR: In response to your letter of December 13, 1930, I am pleased to advise you as follows:

1. Approximately how many people are unemployed in your community?

Answer. Our unemployed number approximately 800 at the present time.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. Two hundred and forty per cent over last year; 300 per cent over two years ago.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. Appropriation two years ago, \$1,200; appropriation one year ago, \$1,500; appropriation this year, \$3,600.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. About 400.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. Yes.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. See No. 2 and No. 3 above. Practically all relief is handled through a community-chest arrangement.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. Yes.

8. A brief statement of the general situation in your community.

Answer. The community is supported chiefly by the agricultural industry, cotton raising principally. This year the crop was comparatively short and the price much lower than was anticipated. I understand that in many instances producers realized little more than the actual cost of the crop. As the majority of the producers are tenants or share croppers, dependent almost entirely upon the landlord's ability to stake them from seeding time to the harvest, their condition at present is pitiful, because the landlords are not able to make the usual advances.

As a general proposition I am opposed to the dole system, because I believe its principle tends to stifle individual effort. I feel, however, that the Federal Government would be doing the right thing if it could work out some way to assist these unfortunate people until they are able to reestablish themselves.

Thanking you for your inquiry, I have the honor to be,

Yours very sincerely,

R. G. WILLIAMS, City Manager.

CORPUS CHRISTI

DECEMBER 19, 1930.

HON. ROBERT M. LA FOLLETTE, Jr.,

United States Senate, Washington, D. C.

DEAR SIR: In reply to your inquiry dated December 13 as to the unemployment situation, I desire to state, answering your questions numerically:

1. Approximately how many people are unemployed in your community?

Answer. Approximately 1,200 people are unemployed in this community. This is a rough estimate. This number is being increased rapidly by unfortunate people flocking to this section from other parts of the State and from other States, believing that conditions are better here, and partly also on account of the mildness of the climate.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. In answering 2 and 3 it will be well for you to understand that the city has no charter power to maintain a pauper list or aid the unemployed, except to the extent that it can aid them with medical attention and by giving them work on city wages. So far we have now on the pay roll 260 wage-earning laborers, as compared with 175 at this time last year. It will probably be necessary for us to increase this pay roll in order to help out the unemployed by undertaking work of some kind.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. We expect the increase in the number requiring work to double during the winter months for two reasons: First, because during that time there is not so much work out in the fields and farms adjoining the city; and second, because, as we have stated before, on account of the immigration of unemployed from other localities.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. The assistance of the Federal Government, if it could be procured, would, indeed, help to lessen the burden on local taxpayers; and we see no reason why our people should not be aided since we have in time past extended aid to unfortunates residing in foreign countries.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. Private relief agencies and local church organizations are doing their best, but you will understand that they are also handicapped by lack of funds. Their work has increased double, I would suppose, over two years ago.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. I do favor an appropriation by the Federal Government as suggested.

8. A brief statement of the general situation in your community.

Answer. Conditions in this county would be sound if it were not for the influence of conditions outside. The main support of this section of the country is farming and stock raising. The market for cattle and the like is down; and you know what has happened to the price of cotton, which is our greatest asset in this county. Serious conditions are going to result to the farmers and stock raisers, because it is doubted that the banks can finance them much longer unless conditions improve. The city government itself is badly in need of money, as the city has had to meet in the past years a great many burdens, including a new source of water supply, which taxed the resources of the city to an extreme. This project was completed at a cost of over \$2,000,000 last year. You no doubt saw reports in the papers about a month ago that our dam had broken, due to some defect either of construction or in planning. Our entire surplus supply of water was lost. We are now investigating the cause through engineers employed for that purpose. We know now that to repair the dam will cost at least \$300,000 more money, even if we only have to repair the breakage. What we fear is that we shall have to expend a much larger sum of money in reconstructing the whole dam or remodeling it or strengthening it in some way. You will readily see that all of this will cast quite a burden upon a small city of about 30,000 inhabitants.

It has been only 11 years ago that we were visited by the destructive tidal wave, which brought such generous relief from the people of the United States, and while we feel that we have accomplished much in our rehabilitation, it has placed a burden indeed upon the taxpayers.

In 1926 was opened the port of Corpus Christi, constructed partly through aid from the Federal Government, which aid we were required to meet more than halfway. While this port has proven a success and has aided very much the city of Corpus Christi and the territory tributary to this city, the burden of constructing and maintaining this port has been heavy upon the taxpayers of Corpus Christi and of Nueces County, both in the expenses necessary to the port itself and additional expenses of operation made necessary by the establishment of the port. The

port has not been in existence long enough for us to realize its benefits sufficiently to overcome the extra burdens imposed upon us, so that you see that this period of financial stringency, whatever may be the cause of it, has hit us pretty hard.

We produce cattle and cotton and the like, and we get very little for what we produce. On the other hand, we certainly do have to pay for the manufactured articles which we have to use, some of them made from the raw product which we have to sell so cheaply.

We do not think that the United States Government should pension off the unemployed but rather that it should finance and encourage the financing of projects which will give employment to those who honestly desire work that they may make an honest living. This ought to be what our Government should desire to do.

Yours truly,

P. G. LOVENSKIOLD, Mayor.

EAGLE PASS

DECEMBER 18, 1930.

HON. ROBERT L. LA FOLLETTE, JR.,

United States Senator, Washington, D. C.

DEAR SIR: Your letter 13th referring to the depression and unemployment conditions in this city, which I am very pleased to report the following:

1. Approximately how many people are unemployed in your community?

Answer. We have no unemployment that we could not handle locally.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. The only help that we are called on is through our local associated charities.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. We have not had to increase our appropriations over previous years.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. Our requirements for relief will be normal.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. I don't think we will require any Federal aid.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. No more relief has been extended by private agencies than previous years.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. I favor relief where needed.

8. A brief statement of the general situation in your community.

Answer. Our community is in very good condition; we have \$7,000,000 irrigation project going on, which is a great help to us, and we give employment to outside labor.

Yours very truly,

W. H. WALKER, Mayor.

GREENVILLE

DECEMBER 18, 1930.

HON. ROBERT LA FOLLETTE,

United States Senator, Washington, D. C.

MY DEAR SENATOR: Reference to your circular letter 13th instant, to mayor of Greenville, Tex., which I am pleased to answer as follows:

1. Approximately how many people are unemployed in your community?

Answer. Approximately 500 heads families within corporate limits and suburbs, area population 14,000.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. Seventy-five per cent over 1929 and 60 per cent increase over 1928.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. City will have to increase appropriation approximately \$2,000, which it will do in providing employment at living wages. No decrease in wages on account increase of need to labor.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. We believe 500 will be total number.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. It will, but more largely increase ability of city to provide for these people, as city can not levy any increase of taxes until after April, 1931.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. Inclosed newspaper account will explain Greenville organization and the letterhead on which this letter is written. The Masonic, Odd Fellows, and Knights of Pythias lodges will assist, also chamber of commerce. Approximately 3,000 letters

will go out to members of church organizations. American Legion and Spanish War Veterans' Camp will also assist.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. Yes. Federal Government chiefly organized and instituted for the general welfare and certainly it will contribute to the general welfare very properly by contributing to relieve the present conditions which breed revolution and inimical to American institutions.

8. A brief statement of the general situation in your community.

Answer. We are in agricultural section, and on account of the depression there is no demand for labor. Railroads cutting down office and road operating forces and the list of unemployed is increasing, mostly laborers and office help and salespeople.

I am, yours truly,

JOSEPH F. NICHOLS, Mayor.

TERRELL

1. Approximately how many people are unemployed in your community?

Answer. Probably 400 out of 7,000.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. Three hundred per cent.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. At least 300 per cent.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. Fifty per cent more.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. Yes; undoubtedly.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. About 50 per cent.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. Yes; particularly with a view to providing employment.

8. A brief statement of the general situation in your community.

Answer. Very distressing. It is hard to see how many will be able to make it through the winter.

UTAH

LOGAN

DECEMBER 17, 1930.

HON. ROBERT M. LA FOLLETTE, JR.,

United States Senator, Washington, D. C.

DEAR SIR: In reply to your questionnaire relative to the unemployment situation we are submitting the following information:

1. Approximately how many people are unemployed in your community?

Answer. There are at the present time approximately 300 persons in our community out of employment. (Population of Logan city, according to last United States Census, 9,969.)

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. Logan city has had no serious unemployed situation prior to the current year.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. Logan city corporation has increased the appropriations in the road department \$8,500 in the last five months to help out the employment situation.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. We expect before the winter months are over that the number of unemployed will increase by at least 50 per cent.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. The assistance of the Federal Government, as suggested in your letter, would certainly be a much-needed relief to our local taxpayers and a godsend in helping us to take care of the unemployment problem.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. Our local unemployment committee, through the contributions made by the majority of the salaried employees of our local business houses, schools, and professional men and women of 2 per cent of their monthly salary, are employing on a community project 90 men who are heads of families.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. We do certainly favor and approve the Federal Government appropriating a sum of money that will share with the city

and the State in helping them to meet the unemployment problem.

8. A brief statement of the general situation in your community.

Answer. Logan city and the citizens of this community have practically reached the peak of their ability to meet with the unemployment situation, and the real burden of this difficulty is increasing and will increase for the next four months. We certainly hope that the Federal Government will make appropriations immediately available to help the States and cities meet this serious emergency.

Yours very respectfully,

A. G. LUNDSTROM, Mayor.

OGDEN

DECEMBER 18, 1930.

HON. ROBERT M. LA FOLLETTE, JR.,

United States Senate, Washington, D. C.

MY DEAR SENATOR: Replying to your valued letter of December 13 requesting information as to unemployment conditions, permit me to state that we have worked in Ogden, what we consider to be a most efficient system, and to date are handling our unemployment situation in a manner wholly satisfactory. Thinking perhaps that your committee may be interested in the details of our organization and its functioning, I am attaching hereto a complete outline of our plans as developed and now in operation which you may peruse at your leisure.

In regard to the caption of your letter, permit me to state that I am heartily in accord with the idea of the Federal Government appropriating money to be furnished States and municipalities on a 50-50 basis similar to the present operation of the Bureau of Public Roads fund.

On November 10 I addressed a communication to Col. Arthur Woods suggesting in part as follows:

"There is another measure which might be of extreme importance and extreme benefit to all communities at this time, and that is if the United States Government could make available a large amount of money up to perhaps \$1,000,000,000 from Government funds which could be distributed to the various municipalities for the immediate furtherance of construction work, such as courthouses, city halls, or other buildings, which could be put under way immediately—and I sincerely believe this can be done as there would not be the usual amount of 'red tape' which is necessary in preparing plans and specifications for Government work—this money to be distributed on somewhat the same basis as the Department of Agriculture now distributes funds through the United States Bureau of Public Roads for road construction. In other words, the Government could furnish a percentage while the municipalities furnished the balance either from funds available or from immediate bond issues and work provided until conditions are stabilized.

"This appears to me to be economically sound and would of a certainty relieve a situation which exists in most communities by the immediate putting under way construction projects which would call for materials of all types, thus stimulating industrial output and providing labor for all classes."

I am still of the opinion that this is the most logical and practical way of solving the present situation in which we find ourselves involved.

Directly answering the questions of your letter, I will report as follows:

1. Approximately how many people are unemployed in your community?

Answer. The unemployed in Ogden city as of this date are approximately 875.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. The city was called upon last year and two years ago to aid only a very small number of persons, consequently our present number of unemployed is the result of this year's conditions solely.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. Our laws prevent the appropriations of money for unemployment purposes, consequently this has not been practiced in previous years, nor is it being done this year.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. It is anticipated that the increase in number requiring relief by March 1 will be approximately 30 per cent.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. Assistance of the Federal Government will materially help in relieving the needy and lessen the burden on local taxpayers.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. For relief being offered by private relief agencies see attached report. We feel that the amount of increase is almost wholly the result of present conditions.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. I strongly favor the Federal Government appropriating a sum of money to be matched by cities and State governments.

8. A brief statement of the general situation in your community.

Answer. Due to the splendid cooperation, efficient organization, and a lot of hard work, our condition is not critical, but with Federal funds we could immediately start construction of a city and county building that would consume local building projects and assimilate a large percentage of our unemployed. Bonds for \$300,000 have been voted and are now available, and with a like additional amount building construction could start within 60 days.

Trusting that this communication will serve your needs and expressing to you my appreciation for your personal interest in this matter, I am,

Very truly yours,

ORA BUNDY, Mayor.

PROVO

DECEMBER 29, 1930.

Senator ROBERT M. LA FOLLETTE, JR.,

Chairman Committee on Manufactures,

United States Senate, Washington, D. C.

MY DEAR SENATOR: Your inquiry with respect to the economic conditions in our municipality is received, and I hasten to present you herewith a comparative study of the situation this year as compared with two or three years previous, and in presenting this cross section I am conforming as nearly as possible to the subject suggested in your questionnaire.

1. Approximately how many people are unemployed in your community?

Answer. Our community population is 15,000, and from a recent survey made by our community welfare organization there are approximately 150 people unemployed.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. The number of persons whom the various organizations in our city are calling upon to aid has increased about 33 per cent over two years ago and about 25 per cent over last year.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. Our city government has never made any appropriation for relief of the unemployed. The only way we can aid the poor is by creating some form of work out of our municipal budget, and this we have done by creating new street-paving districts, extending our sewer-outfall mains, and improving our water-distributing system. We have completed projects in this class of work totaling \$250,000.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. We are looking to have the number requiring relief increase from now on the rest of the winter, since all outside work is at a standstill, perhaps about 25 per cent.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. It is my firm conviction that when we experience these cycles of depression and unemployment that it should be the function of municipal, county, State, and Federal taxing units to step into the breach and supply employment, so far as practicable, for the unemployed.

I am sure that the assistance of the Federal Government will relieve our local taxpayers' burden if they can see their way clear to aid in this relief work by extending help to the needy and employment to the unemployed.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. The relief that is being extended at present by private relief agencies is more or less limited to the churches, lodges, and our county tax unit. It is rather difficult to determine how much it has increased from a year ago or from two years ago, but people in charge of this work advise me that the increase is, in round numbers, around 10 per cent.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. It is my impression that the Federal Government should aid the city and State governments in this increased relief burden, and that it should be done by creating Federal work so that the unemployed might earn their daily bread by working on Federal projects, such as building roads, reclamation projects, etc.

Thanking you cordially for any interest you may give this report, I am,

Very sincerely yours,

JESSE N. ELLERTSON, Mayor.

VERMONT

BARRE

DECEMBER 23, 1930.

HON. DAVID I. WALSH,

United States Senator, Washington, D. C.

SIR: Your letter of the 13th asking several questions about our unemployment situation is received, and the same has been given attention here. I will answer your questions in the order given in your letter:

1. Approximately how many people are unemployed in your community?

Answer. About 500 out of work and some other hundreds on part-time work, but for the holiday season of about two weeks 1,000 not working.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. The number of city poor on the list at any time during the year 1928 was 177; during 1929, 181, a 2 per cent increase over 1928. Thus far during 1930, 233, an increase of 28 per cent plus over 1929.

3. To what extent has it been necessary for your city to increase its appropriation for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. The net cost of the poor, including administration expenses for the year 1928 was \$14,486.75, a per capita expense of \$81.846. The total net cost for 1929, including administration expenses, was \$17,187.41, or a per capita cost of \$94.956. The net cost for 1930 to date, including administrative expenses at the same amount as for 1929, is \$21,450.55, or a per capita cost of \$92.06.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. We estimate that the increase of number requiring relief during the winter months will be possibly 10 per cent.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. Yes; and in my opinion it should be done as quickly as possible.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. Not well informed on this.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. Yes. Think relief given now will help to hold the confidence of our people in our Government and institutions.

8. A brief statement of the general situation in your community.

Answer. The granite industry, which is our principal industry, has been dull for a long time, but worse the past three months. Last October at a city meeting \$50,000 was appropriated to aid the unemployment situation. This money has been used to build surface sewers, sidewalks, and streets. This did give a lot of relief, but the money is nearly used up and ground conditions for sewer work not good, so there is bound to be greater and greater call upon our charity department.

The Federal Government should extend help to all States and cities to help meet this serious situation.

Your proposition to shorten the work day and work week and get more money into the hands of the many is the remedy for our ills.

Respectfully yours,

FRED W. SUITOR, Mayor.

VIRGINIA
DANVILLE

DECEMBER 22, 1930.

The Hon. DAVID I. WALSH,

United States Senate, Finance Committee,
Washington, D. C.

DEAR SIR: In answer to your letter of December 13, I am pleased to give you the following information:

1. Approximately how many people are unemployed in your community?

Answer. There are approximately 3,000 people in our city unemployed at the present time.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. Due to the present depression and unemployment the city has been called upon to render aid to a great many more persons than in the last two years. However, this has not increased in proportion to the unemployed, due to the fact that a strike is now on with the industry employing the largest number of persons in our community. A great many of the unemployed are receiving relief from the United Textile Workers' organization.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. The city has and is spending a great deal more in the way of relief to the unemployed and the poor than it has in former years. The city has taken over the Community Welfare Association as a city department. In former years the Community Welfare Association received substantial aid, not only from the city but also from the community chest, and this year the city is meeting the entire expense and receiving nothing in this connection from the community chest. The city home for the poor will cost approximately \$1,000 more this year than last year; this year the cost will be approximately \$8,250. For food and clothing distributed by the Community Welfare Association as a municipal department will run approximately this year \$20,000, while in former years \$12,000 from the city was the usual appropriation.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. I estimate that there will be a greater increase in the number requiring relief during the winter months than formerly, due to the fact that a great many of the unemployed have received assistance from the local labor union, and should the strike terminate shortly, which has been predicted, a great many unemployed and persons in destitute circumstances will necessarily have to be cared for. With the situation as it now exists it would be very hard to say just what percentage this increase would be.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. I am confident that assistance from the Federal Government would aid a great deal in meeting the relief to the needy and at the same time lessen the burden on the local taxpayers.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. The local private relief agencies are necessarily being called upon to render relief to a greater extent, but, as stated above, the actual charities of the city are being carried on by the Community Welfare Association, which has been taken from the private relief agencies and made a municipal department. There is no way of determining just how the relief of the Salvation Army has increased as no figures are obtainable from that organization. However, all of the churches are being called upon for increased relief among the poor of their congregations.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. I am heartily in favor of the Federal Government appropriating such sum of money as it sees fit to share with the city and State governments in caring for the increased burden that the present emergency has necessitated.

8. A brief statement of the general situation in your community.

Answer. Due to the fact that for approximately three months some of the employees of the Riverside and Dan River cotton mills, located partly within and partly without the corporate limits of the city, have been on a strike, and those out of employment who were workers in the mills have been receiving food from the local union, it is very hard to estimate just what the situation normally would be or what will be the situation at the termination of the strike.

I regret that the unusual circumstance of our present situation does not allow me to give more accurate information in answer to your questions.

Sincerely yours,

HARRY WOODING, Mayor.

WISCONSIN
APPLETON

DECEMBER 18, 1930.

Hon. ROBERT M. LA FOLLETTE, Jr.,

United States Senate, Washington, D. C.

DEAR SENATOR: Received your communication of the 13th instant regarding relief being extended by municipalities because of widespread unemployment and general economic depression. Following are my answers to the eight questions asked.

1. Approximately how many people are unemployed in your community?

Answer. We have about 400 unemployed at this time.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. The increase is about 80 per cent of last year and the year before.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. We have not increased the city appropriation for this reason, that there was about \$30,000 raised by popular subscription to help take care of the unemployed.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. The increase will be about 75 per cent.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. Yes.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. We have several relief societies who are now consolidated under the head of the Home Aid, for which a sum of around \$30,000 was raised by popular subscription.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. Yes.

8. A brief statement of the general situation in your community.

Answer. The situation in our city is becoming more acute as winter comes on, and after the first of the year I rather expect a rather large increase in applications for help from our poor department.

Trusting this is the information wanted, and if I can be of further assistance to you, let me know. I remain,

Sincerely yours,

JOHN GOODLAND, Jr., Mayor.

ASHLAND

DECEMBER 29, 1930.

HON. ROBERT M. LA FOLLETTE,
United States Senate, Washington, D. C.

DEAR SIR: Replying to your letter of December 13 addressed to the mayor, I will endeavor to answer the questions in your letter as far as possible.

1. Approximately how many people are unemployed in your community?

Answer: We have about 150 men in Ashland unemployed.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer: Our poor relief is probably 50 per cent greater than last year or the year before.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer: We will probably use about 50 per cent more funds than we have in any year in the past.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer: I am not in a position to give you the increase in the number of people.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer: I do not believe that any assistance the Federal Government is able to give will be of any relief to the local taxpayer.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer: We have one relief organization only. This committee is working, not only to aid those in distress, but to find work for those out of employment and in need of funds at the present time.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer: I am unable to answer No. 7, as I have not given this matter any particular study or attention.

8. A brief statement of the general situation in your community.

Answer: We are not very bad off so far as unemployment is concerned in this community, as we have no large industrial plants that have shut down. We have some unemployment brought about by the reduction of the forces in the railroad shops and some other industrial institutions.

If there is anything further that I can do to be of assistance to you I will be glad to accommodate you.

Yours very truly,

M. E. DILLON, Mayor.

CHIPPEWA FALLS

DECEMBER 20, 1930.

ROBERT M. LA FOLLETTE, JR.,
Washington, D. C.

DEAR SENATOR: Yours of the 13th instant to hand. In regard to the economic conditions in our city, will try and answer your questions as nearly correct as I can judge them.

1. Approximately how many people are unemployed in your community?

Answer: Our registration shows about 300 unemployed in our community.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer: I should judge about 10 per cent. No registration before this year.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer: City and county work together for the relief of the unemployed. County board increased the relief fund 33½ per cent this coming year.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer: I estimate about 10 per cent.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer: We have an institution here which was left a large sum for charity, but I have been unable to find out what amount of an expenditure of about \$48,000 yearly goes actually to the relief of the poor and unemployed. This institution was established by the late Edward Rutledge and endowed with \$1,000,000.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer: I believe in the Federal Government coming to the relief of the city and State governments in the present emergency and lessening the burden on the local taxpayers.

W. C. RICHTER, Mayor.

KENOSHA

DECEMBER 20, 1930.

MR. ROBERT M. LA FOLLETTE, JR.,
United States Senate, Washington, D. C.

DEAR SIR: In answering your inquiry of December 13, I have tried to answer your questionnaire in full. The information regarding the city is as follows:

1. Approximately how many people are unemployed in your community?

Answer: The normal pay roll of Kenosha factories carries 14,000 employees. At the present time there are about 7,500 working. Some of these men that are listed as "employed" are working very short hours. The registration of the unemployed in Kenosha totaled 1,887.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer:

	1928	1929	1930
Families.....	275	330	1,036
Persons.....	1,391	1,678	5,200

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer: The appropriations for the poor relief and poor farm for the last three years are as follows: 1928, \$53,145.39; 1929, \$55,113.72; 1930, \$114,145.93.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer: I estimate that we shall have an increase of about 600 families over and above the 1,036 we now have.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer: It seems to me that the assistance coming from the Federal Government on large construction projects will help certain communities where Federal work is authorized. Not being familiar with what plan you have in mind as to lessening the burden of local taxpayers, it is my personal opinion that public funds should be spent to promote work that is well planned and a part of a definite program and that no funds should be expended on projects that are thought up in a hurry, presented under the guise of relieving unemployment, and in the end will not be of any comprehensive service to either the local, State, or Federal Government.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer: The city of Kenosha has a community chest, which has been established since 1923. This chest takes care of the following agencies: Kenosha Service League, Salvation Army, American Legion service department, Kenosha Hospital, Kenosha free clinic, St. Catherine's Hospital, Carmelite Sister Home (for aged people), Kenosha Girls' Club, Boy Scouts of America, Girl Scouts of America, Wisconsin Antituberculosis Association, and American Red Cross Society.

The units which are relief agencies are the Kenosha Service League, the Salvation Army, and the American Legion Service Department, and their expenditures for the past three years are as follows:

	1928	1929	1930
Service League.....	\$28,199.96	\$25,727.94	\$50,597.92
Salvation Army.....	5,750.00	6,000.00	10,853.26
American Legion.....	4,800.00	4,425.00	4,275.00
Total.....	38,750.00	36,152.94	65,726.18

The total expenditures of the community chest over the 3-year period are as follows, and show an increase during 1930 of approximately 50 per cent over 1929: 1928, \$100,180.63; 1929, \$95,359.11; 1930, \$147,770.90.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer: I believe the answer given for No. 5 would also apply to No. 7.

Rather than have the Federal Government create a precedent equal to establishing a dole by contributing to local relief agencies, why not adjust the distribution of the tax so local communities would maintain a greater share of the actual taxes collected? In our city this would result in a tax reduction to the small home owner and allow the continuance of the present poor-relief program.

8. A brief statement of the general situation in your community.

Answer: Our local community has always had a well-organized relief department, but we notice a vast increase in the number of families and the type of people requesting relief. The citizen requiring help now is the one that has been industrious and saved

his money, but most of them have been out of work so long that their little savings are gone.

The best barometer as to the condition existing in our city is from the inclosed tabulation of the actual money spent in relief, not taking into account the overhead in administering. It has gradually climbed since October, 1929.

Please feel free to call on me for any further information you may desire.

Yours very truly,

WM. E. O'BRIEN, *City Manager.*

MENASHA

DECEMBER 22, 1930.

HON. ROBERT M. LA FOLLETTE, Jr.,

United States Senate, Washington, D. C.

DEAR SIR: In reply to yours of the 13th regarding local unemployment conditions, following are the answers to your questions:

1. Approximately how many people are unemployed in your community?

Answer. Approximately 100.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. About 100 per cent over last year and about 200 per cent over two years ago.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. An increase of 100 per cent over last year's appropriation.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. About 100 per cent.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. Yes; very much so.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. Fuel, food, clothing, rent, medicine. Increase about the same as the city's.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. Yes.

8. A brief statement of the general situation in your community. Answer. While we have not felt the effects of unemployment very much, yet we find that most of the plants are running on a part-time basis. Also, our greatest problem is with the roaming population, which every city has.

Very truly yours,

JOHN JEDWABNY, *City Clerk.*

SHEBOYGAN

DECEMBER 30, 1930.

MR. ROBERT M. LA FOLLETTE, Jr.,

United States Senator.

DEAR SIR: In the first place, you must excuse me for not answering your request of December 13 sooner than I did. It was during our busy season, Christmas time, and the amount of city work we are doing at present has taken much of my time, so it was impossible for me to answer your questions sooner.

I am glad to answer your questions as they are in Sheboygan.

Your first question is: "How many people are unemployed in our community?"

Answer. I will say there are about 1,200.

Your second question: "To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?"

Answer. Fifteen per cent more than last year and 20 per cent more than two years ago.

Your third question: "To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?"

Answer. Twenty-three thousand dollars was raised in 1928 and 1929, and \$35,000 was raised in 1930.

Your fourth question "What do you estimate will be the increase in the number requiring relief during the winter months?"

Answer. About 300.

Your fifth question "Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers."

Answer. It certainly would relieve the people in general. As relief is absolutely necessary, it would be a great help; but, on the other hand, if the Government could create some local work, such as building a post office and harbor improvements, it would be a great relief for some of our people. I feel that most of the people are not looking for aid, they are looking for work. I do know that the Government is behind in their building program, and this would be a good time for the Government to spend their money in a substantial way and help relieve the situation as it is to-day.

Your sixth question "What relief is being extended by private relief agencies, and how much has it increased as compared with last year and two years ago?"

Answer. Our welfare bureau has been getting donations from \$6,000 to \$7,000. This year, by subscription, will add about \$20,000 to it.

Your seventh question "Do I favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?"

Answer. I am in favor that the Government should do its just share toward its citizens in general, especially in some Government work; if not in Government work, it would be proper to pay its just share toward the welfare of our citizens in general.

I hope that these answers will be clear to you, and if there is any other information needed as far as our locality is concerned, I will be glad to give it to you and expect to give it to you in a shorter time than this time.

With my kindest regards, yours respectfully,

HERMAN SCHUELKE, *Mayor.*

SUPERIOR

DECEMBER 16, 1930.

HON. ROBERT M. LA FOLLETTE, Jr.,

United States Senate, Washington, D. C.

DEAR SENATOR: Yours of the 13th received, and I am glad to give the information you desire.

1. Approximately how many people are unemployed in your community?

Answer. At this time we have registered at the city hall a total of 717 men, of whom 617 are married and 100 single. We began registering applicants for labor a year ago this December, using a card which merely gave the name, address, and ward of the applicant, but last summer we got out an application in the form of a questionnaire, which sought to obtain more accurate information. I think the above number is fairly accurate.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. There has never been any unemployment census taken in Superior since last April and what might be gathered from our system of registration. However, the contractor who is now putting up a large addition to our Central High School told me yesterday that he had more applications for labor—that is, common labor—when he started to commence building this addition than he had in the winters of 1927 and 1928, when he built the nurses' home, which is a building of about the same size as the addition to the high school, and he thought there was more unemployment in the winters of 1927 and 1928 than there is at the present time. However, I feel that there is more unemployment to-day than we have ever had since possibly the winter of 1922 and 1923, and I can also see that the public is generally much more exercised over conditions now than they ever have been in any other business depression that I know of, and there also seems to be more concerted effort to remedy these conditions.

Here in Superior we have a slack period during the closed season of navigation, which is closed from December 12 to April 15. During the open season of navigation there is a great deal of activity on the docks, in the elevators, and with the railroads, and therefore we have always figured that there would be considerable unemployment during the winter. I think that possibly owing to the tendency of the average man to acquire an automobile, radio, electric washing machine, and other utensils and to buy all these desirable things on the installment plan that a large number of wage earners have during the past year or two pledged their earnings in advance, so instead of having a surplus when the business depression came on they found themselves considerably in debt. On inquiry at the free employment office here I find that during the months of November and December for the years 1928, 1929, and 1930 the number of applicants registered and placed are as follows:

	1928		1929		1930	
	No- vem- ber	De- cem- ber	No- vem- ber	De- cem- ber	No- vem- ber	De- cem- ber
Registered for employment.....	593	381	506	338	357	212
Applications for labor.....	597	401	546	372	376	250
Number of laborers placed.....	508	384	421	282	383	170

This is the best I can give you as to a comparison of unemployment during these years.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. In order to cope with the unemployment situation, which we thought would be bad this winter, we began last spring to inaugurate a program to take care of the situation. We authorized the building of an 18-hole golf course, to cost about \$35,000, and of which \$13,000 has been spent for labor this year; the building of a football bowl, to cost \$9,000; a trunk sewer, to cost \$10,000; rebuilding of two streets, to cost \$18,000; a municipal garage, to cost \$30,000; and the building of an addition to the Central High School, to cost \$110,000; and in the spring we will authorize the construction of a vocational-school shop, to cost about \$50,000, making a total of \$262,000. Of course, none of this money is wasted, but we would probably not have built the garage this winter nor the high-school addition, and might not have built the golf course, but as a matter of fact almost all of these improvements were authorized to be built at this time owing to the necessity of employing labor during the winter months.

In this connection I might add that Douglas County, which cares for the poor of the whole county, including the city, has usually disbursed \$40,000 a year for poor relief, while this year the amount placed at the disposal of the poor commissioner is \$50,000. The county has started a logging camp which will employ about 50 men, who will be paid by the piece for poles and posts cut on lands owned by the county. This will probably be paid out of the \$50,000 appropriated for the poor. But, of course, the county will realize about as much from the proceeds of the poles and posts cut as they pay for the labor.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. I do not believe that the number of applicants here in the City Hall will materially increase during the balance of the winter.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. The only assistance that the Head of the Lakes will receive from the Federal Government that will help to extend relief to the needy and lessen the burden on the local taxpayers will be the amount expended for improvements to the harbor, which Maj. P. C. Bullard estimated will be about \$145,000 for the season of 1931.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. We have no associated charities here. A committee has been appointed by the Trades and Labor Assembly, which has held meetings, and I understand that they have or are about to set up a food depot where food will be distributed to the needy. They expect to get the food supplies from the local merchants. Of course, one can only guess at the amount they may distribute.

Pursuant to the request of Governor Kohler, I appointed a committee on unemployment and relief, composed of about 40 employers, representatives of the Trades and Labor Assembly and of the railroad brotherhoods, which met about two weeks ago and organized. They appointed a subcommittee on regularization of labor, including the rotation of labor, a subcommittee on public and private construction, and a subcommittee on relief. The committee on relief has organized by the appointment of committees of each ward, who will investigate all cases needing assistance, and we hope that from private contributions we will obtain sufficient clothing, bedding, furniture, food supplies, and money to alleviate to a considerable degree the distress caused by unemployment.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. I heartily favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated.

While Superior is not as hard hit as most of its sister cities in the Northwest, owing to the fact that it has not so many manufacturing establishments as has other cities, yet we know there is considerable more unemployment this winter than there has been for several years.

It seems to me that the President is wrong in opposing any increase in Federal taxes, required and necessary in order to help meet the present situation. He certainly must know that every municipality has had to increase its tax rate this year because of the hard times and unemployment, and he ought to know that general property has been carrying about as heavy a burden as it can carry. In fact the owners of vacant lands throughout the Northwest have been hard hit for a number of years and a great many have become discouraged, and have been for several years, their lands going back to the county for delinquent taxes. It seems to me quite apparent that there is a limit to the burden you can put on general property and have people continue to pay their taxes; while, on the other hand, income taxes can be slightly increased without distressing anyone. Of course, I am aware that as soon as you talk about increasing Federal taxes there is a tremendous howl from those who would pay. But it has always seemed to me that the income tax is the fairest of all taxes, and certainly in this emergency Congress should not hesitate to add a slight amount to the income tax, if, by so doing, they can relieve the situation. While I do not wish to be critical, it seems to me that the Federal Government is very slow to respond to an emergency.

After the school board concluded they ought to have an addition built to the central high school here, a meeting was held with the council, the matter was considered and decided upon, and the plans were drawn and bids advertised for within one month from the time the matter was first considered by the school board. And the building is certainly about as large as that of the ordinary post office in a small city, and yet it seems to take months for the Post Office Department to get out plans and specifications and call for bids. By the time that the post offices now being talked about are built, it would seem to me that the emergency will long since have passed.

8. A brief statement of the general situation in your community.

Answer. As above stated, I think Superior is better off than its sister city, Duluth, just across the bay, and is better off than almost any other city of its size in the Northwest.

A year ago last December we began to rotate the labor employed by the city and continued to do so during the winter, because matters did not mend. In the spring we continued to

rotate the labor, putting on a new crew every three days, and also continued this during the summer and fall. We are still rotating the labor and will continue to do so until business picks up and employment becomes normal. Through the work of the committee appointed by me we are doing what we can to have private employers rotate their labor, and think there will be a generous response. This, I think, will help a great deal. The local switchmen's union also rotate their work so a large number of these men who are unemployed will be able to get work part of the time during the winter; but with reference to the engineers and firemen and also trainmen, I do not think that it is possible to change their ideas on seniority. I have been told that the firemen have decreased the number of miles a fireman may run per week, which will help the unemployed firemen.

In conclusion, I feel that I have been somewhat verbose, but it seems to me, for many reasons, that there will be a great improvement of business in the spring, and which will gradually increase; also unemployment will be lessened and that business conditions will improve very much after next spring.

However, I feel that there is a condition which has generally been overlooked, and that is, a large number of men past middle age have joined the ranks of unemployed during the past several years, owing, as it seems to me, partially to the increased use of machinery and partially to group insurance and old-age pensions of private corporations. At any event, I believe that this group has been growing very fast in the last 10 years. As you probably remember, several months before the debacle in the stock market a year ago last November the Secretary of Labor or some one in his office stated that there were 6,000,000 unemployed, which was promptly denied by some one else in the department. The number being stated as about 4,000,000. I may not be getting the figures exact, but these statements show that there was at that time a very large number of unemployed, and yet at that time business seemed to be going along at full blast. Nevertheless, if these old, worn-out workers, who must be taken care of in some way by the city, were removed from the labor market, it would tend to cut down the number of the ordinary unemployed. To do this we should have a national old-age pension. It seems to me that the time has come when we should have a national old-age pension. European countries have had old-age pensions, as you know, for quite a long time.

I would like to see the progressive element of Congress give this matter some study, because it seems to me that while we have an unusual amount of unemployment due to the business depression yet we have had for a number of years, and will continue to have a very large number of unemployed middle aged and elderly men who will only be able to get occasional employment after business becomes normal. They constitute the army of old, worn-out workers. An old-age pension would care for them and would make their old age a comfort instead of a continual suffering and distress.

Very truly yours,

GEO. E. DUTRICH.

WEST ALLIS

DECEMBER 23, 1930.

Senator ROBERT M. LA FOLLETTE, Jr.,
Washington, D. C.

DEAR BOB: I just received your letter of December 13, and am very glad, but not at all surprised, that you are taking an active and aggressive part in doing something for the common people who are so sadly in need at this time of champions in high places.

The following figures on your questionnaire are the best I can do at present, and I hope they will be useful:

1. Approximately how many people are unemployed in your community?

Answer. At least 3,000.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. Three hundred per cent over 1929; 400 per cent over 1928.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. \$3,000 for the establishment and maintenance of a free employment bureau and about \$50,000 with which the city is doing work which could just as well be done next year.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. Fifty per cent.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. Yes. Would suggest the immediate and full payment of soldiers' compensation, and the rushing of Federal work so that a reasonable number could be sent on such jobs from each community.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. The Family Welfare Association, which is financed from the Milwaukee County Community Fund, and which is the only one of consequence, estimate for the year ending October 1, 1930, \$8,900, as against the same period in 1929, \$3,000, and \$1,000 in 1928.

The Civic Alliance of West Allis organized this fall has collected \$1,000, which is to be used for emergency relief. Of course,

there is a great deal of help given by churches, lodges, and individuals, which can not even be estimated.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. Yes.

8. A brief statement of the general situation in your community.

Answer. We have a fine spirit of cooperation here, but the unemployment situation is undermining the morale, if not the morals, of thousands of otherwise good citizens, many of whom have lost their homes, or are likely to in the near future.

Thanking you for your interest, and pledging you my cooperation, I remain,

Sincerely yours,

DELBERT MILLER, Mayor.

WISCONSIN RAPIDS

DECEMBER 19, 1930.

HON. ROBERT M. LA FOLLETTE,
United States Senate, Washington, D. C.

DEAR SENATOR: Replying to your circular letter of December 13:

1. Approximately how many people are unemployed in your community?

Answer. In our community of approximately 10,000 people there are probably 250 unemployed.

2. To what extent has the number of persons whom the city government is called upon to aid increased over the number last year and that of two years ago?

Answer. This is normal at this time of the year. Probably we are a little better off than usual.

3. To what extent has it been necessary for your city to increase its appropriations for relief to the unemployed and to the poor this year as compared with last year and two years ago?

Answer. The city has not yet increased its appropriation for relief.

4. What do you estimate will be the increase in the number requiring relief during the winter months?

Answer. Conditions will probably not get better but will grow worse. There may be some increase of applications for poor relief.

5. Will the assistance of the Federal Government help to extend relief to the needy and lessen the burden on local taxpayers?

Answer. In my opinion our city and its people will be able to take care of the situation very easily and I think we would not wish to ask for or accept assistance of the Federal Government.

6. Briefly state what relief is being extended by private relief agencies. How much has it increased as compared with last year and two years ago?

Answer. Our usual private relief agencies are working a little harder than usual. Thus far we can not say that we are having hard times locally, but so much has been said about the thing in the papers that the charitably inclined people are mobilizing and are very likely to do more than the usual amount of charity work this winter.

7. Do you favor the Federal Government appropriating a sum of money that will share with the city and State governments the increased relief burdens that the present emergency has necessitated?

Answer. If distress is widespread there must, of course, be found some means to alleviate it. It seems to me to be a dangerous thing for the Federal Government to deal directly with it. I would think offhand that the Red Cross or some outside agency ought to be assigned the job. Then perhaps the Federal Government might make an appropriation for such an agency and the thing could be handled in an indirect way. I should say at least that the greatest wisdom should be invoked in the approach to a solution of the problem.

8. A brief statement of the general situation in your community.

Answer. The situation in our own community is unusually good. The mills and factories are running almost if not quite on full time; wages remain the same as before with no cut; the cost of living has decreased by an appreciable percentage.

The problem and trouble has not struck us locally as yet and we are hopeful that it will not. But this does not mean that we do not recognize that conditions are serious in most other communities throughout our State. I appreciate your interest and will be glad to help if possible.

Very truly yours,

GEORGE W. MEAD, Mayor.

WYOMING
CHEYENNE

DECEMBER 16, 1930.

HON. ROBERT M. LA FOLLETTE, Jr.,
United States Senate, Washington, D. C.

MY DEAR SENATOR LA FOLLETTE: Have received your letter of December 13 in which you refer to the unemployment and general economic depression conditions.

Cheyenne is situated on the crossroads of the Lincoln Highway and the Yellowstone, also being crossroads for the Union Pacific and Colorado & Southern Railroads and is a community of less than 20,000 people. On account of our large pay rolls which have not been affected to any great extent in the crisis of depression which has swept over our country, Cheyenne has not felt the unemployment situation to any great degree. We can not help but take a long breath, however, and wonder how long it will be before the wave may strike us. Nevertheless, at the present time

we are in about the same shape so far as employment is concerned as we were a year ago. We have been able to take care of any unemployment so far as our own people are concerned at this time. We do notice that the floating population who are on their "uppers" are somewhat more numerous than they were a year ago. But nothing to be alarmed about.

However, just because Cheyenne up to the present has been so fortunate, I would not want to take the liberty of saying that other communities do not need help. I believe that the Federal Government's decision in appropriating money that will share with the city and State governments expenditures to relieve the present emergency would probably be the only way that this general economic depression condition can be taken care of. We believe, in Cheyenne, that we can take care of ourselves during this winter and that any money the Government expends in this direction is needed very much more in other communities.

Sincerely yours,

CAL HOLLIDAY, Mayor.

EXHIBIT B

WE MET MR. HOOVER

By Amos Pinchot

On the morning of June 4, 1930, I had a happy and unforgettable experience. As a member of a delegation representing a committee of misguided nobodies, made up mainly of bishops, bank presidents, manufacturers, and the like, I had the pleasure of sitting at the elbow of the President of the United States and hearing him cure bad times and unemployment in about 30 minutes.

It was an awfully hot day for June. But as we waited hour after hour (our appointment was for 10), while companies of high-school cadets, groups of teachers, and girls' clubs marched past us and disappeared on their way to shake the great engineer's hand in the inner office, the anteroom seemed cool and comfortable, even though slightly cluttered by Senators and Representatives waiting to talk with Mr. Hoover.

Our purpose, it must be confessed, was an embarrassing one. It was to urge upon the President, whose shoulders were already bowed with matters of far more concern, the need of providing some relief to that situation of business depression and unemployment into which, it will be remembered, the 1929 panic temporarily threw the country, despite all precautions taken by the Republican administration. In short, it was our intention to urge Mr. Hoover to ask Congress to authorize a program of immediate expenditure on already authorized Federal road construction, road surfacing and repair, and other public works which, we hoped, might be got under way before the cold weather set in.

About 1 o'clock, to our great delight, Mr. Akerson, the President's secretary, approached—he had told us twice during the morning that there must be some mistake, as he had no memorandum of our appointment, but we held our ground—and, with that affability for which he is justly famed, said that the President would see us, but warned us, first, that we must confine our interview, including the presentation and discussion of our plan, to 10 or 15 minutes; and, second, that on no account should we say anything to the reporters relating to the President's part in the interview, as Mr. Hoover was already doing so many things calculated to improve conditions, and working with so many helpful agencies, that any publicity as to his reactions to our particular plan would, at the moment, be exceedingly inadvisable.

We gladly accepted both conditions. Fifteen minutes would be ample for the discussion of so trivial a subject. Also, we did not need to be told twice that on any public question it was essential to guard the President's opinions from the public ear. In a moment, with a final admonition of brevity, Mr. Akerson bowed us through the corridor, and we found ourselves in the presence of Herbert Hoover. Mindful of the Akersonian injunction, our chairman at once plunged into our plan, laying especial stress on our belief: First, that the revival of business depended partly at least on giving work to and thereby putting money in the pockets of the unemployed, to the end that they could not only live but buy things; and, second, that spending money on roads had the double advantage that it could proceed without the delay of elaborate reports and planning and that it would not merely increase employment and help business but have some permanent value when done.

Mr. Hoover listened with the scant patience and restrained exasperation of a man who knew every angle of the situation far better than we who had presumed to advise him. Whereupon he launched into a clear, forcible, and convincing speech, in which he proved to us that we were wrong on every point. Unemployment, he said, was being shamefully exaggerated. Its peak had been reached and passed. The tide had turned. The Census and Labor Department reports, and other information to which, as he reminded us, he had better access than we, would presently show that things were quite different from what we feared. Yes; we were now to drift peacefully, if slowly, back to good times. With calm confidence he spoke of the results that were being gained through the conference he had called of great business leaders and of their fine response to his appeal not to curtail the volume of their activities. He showed us in authoritative style that every agency of both the Federal and State Governments was working at top capacity to relieve the situation. "Gentlemen," he said, "you have come six weeks too late." Here the great engineer was right again. Our chairman for just about that time had been trying to get an appointment with him.

The great engineer then tore to pieces our suggestion of extensive work on the roads, with the remark that such a program would require more cement than all the factories of the country could furnish. This, though it surely must have been so, was, I confess, a little surprising, as our information was to the effect that the cement makers had just been importuning Congress for higher protection in the revenue bill, on the ground that American factories were standing idle.

I do not know how the rest of the committee felt about it. But they looked to me to be in a state only to be described as gladdened glee. For my part, I wanted to slap the great engineer on the back and wake the echoes of the White House with a resounding cheer for the Hoover administration. I had come to Washington under the dismal obsession that we were facing a grave disaster. I had imagined that business depression, unemployment, in short, black times with all the miseries that follow in its train, had settled down on our unfortunate people, only to be routed by firm and prompt action of the Federal Government. I was to leave assured that my fears were groundless and that all was well with America.

Before packing my bag for Washington I had noted that England in peace time—that is to say, in the fiscal year of 1921-22—had been able to raise £398,757,000 by taxation on incomes alone as a war measure in her drive against depression and want. That is well on toward \$2,000,000,000, and it seemed to me that this country, with double England's wealth and population, could afford, when faced with similar dangers, to raise half or a quarter that sum for the same purposes. Such reflections, however, were now wholly inappropriate. Under Mr. Hoover we had weathered the storm without resorting to so cruel an assault on the high brackets and the pockets of the mighty. Unluckily for England, she had had no great engineer.

Mr. Akerson appeared. In fact he had appeared more than once during our interview to warn Mr. Hoover, with deprecatory gestures, that people were waiting with more momentous things to say. Nobody but the President and our chairman had spoken. Our rabbi, our Christian clergyman, our lawyer, the woman who had just made a survey of unemployment—all had something they had hoped to say. There was no need of it. It would have been silly, useless, discourteous, even, to have added a word. Mr. Hoover, with characteristic efficiency, had disposed of unemployment. It was a wretched subject, anyhow. And the unemployed, I gathered, were far from good Republicans. We were bundled out of the White House into the sunlight of a world of things which we had just learned did not exist.

It was 2 o'clock of a warm June afternoon. Since then summer has passed; winter has arrived. The seasons have succeeded each other in their accustomed way. But, alas, something has gone wrong. Has the magic of the great engineer lost some of its power and cunning? Or are 5,000,000 men and women looking for work and shivering as they eat the bread of charity but another illusion of the untrained lay mind?

FEDERAL POWER COMMISSION

The Senate being in executive session,

Mr. DILL. Mr. President, I shall not attempt to discuss the technicalities involved in the rule of the Senate, or the constitutional question of the right of these commissioners to continue to hold office even if the Senate should decide to reconsider and to reject the nominations of any of them. We can meet that issue when it arises, if it does.

I desire first to call attention to just what this controversy between Mr. Bonner and Mr. Russell is, and explain that in the RECORD by inserting in the RECORD parts of the hearings that were held last spring when Mr. Russell, Mr. King, and Mr. Bonner were before the Interstate Commerce Committee.

I desire to review, in just a few words, one or two of these questions that caused disputes.

One of the most outstanding cases over which there was a struggle and contest between Mr. Bonner on the one hand and Mr. King and Mr. Russell on the other was the Niagara Falls Power Co. claim. They claimed an investment of \$77,000,000. Mr. King stated that all he could find was \$32,000,000, but that in order for the commission to be able to decide definitely, the accountants must have access to the books; and Mr. Russell was insisting that this action should be taken at once. Mr. Bonner was causing delay. I desire to include in the RECORD, without reading them, the questions and answers on that subject, beginning on page 21 of the hearings of Mr. Russell's testimony and running through to page 33.

The VICE PRESIDENT. Without objection, it is so ordered.

The matter referred to is as follows:

Mr. RUSSELL. The Niagara Falls power situation is a very involved situation. I do not know where to begin nor where to end it.

In 1910 a treaty was entered into between Great Britain and the United States under which the United States was permitted to withdraw from the waters of the Niagara River above the Falls 20,000 cubic second-feet. Canada was permitted to withdraw 32,000—

Senator BROOKHART. Thirty-six thousand.

Mr. RUSSELL. Thirty-six thousand—pardon me, Senator.

Thereafter there were permits issued by the Secretary of War, and up to 1917 those permits terminated every July 1, anticipating the passage of the water power act, I assume. The permits issued by the Secretary of War provided in accordance with the act (41 Stat. 163), if you care to look it up, that all rights should cease and terminate on the 1st day of July following; and this particularly applies to July 1, 1920. If Congress passed any water legislation in control of those waters prior to that time, thereupon it should cease and terminate.

And, as you know, Congress passed the water power act on June 10, 1920.

On July 3, 1920, a letter was written to the Secretary of War pointing out that the Niagara Falls Power Co. either intended to or was applying for a license. A license was issued to the Niagara Falls Power Co. for 19,725 second-feet of water—not all at one time, but it was to cover other amounts.

The original license was issued on the 2d day of March, 1921, pursuant to an application filed on January 3, 1921. That license contains a provision, in article 9, I believe, that the fair value of that property shall be determined by the commission as of the date of the license.

Senator BROOKHART. That was designed to eliminate the reproduction new difficulty in valuation?

Mr. RUSSELL. No. May I explain that right there, Senator?

Under the water power act, section 23, plants that were constructed prior to the act and had a right to continue operation of those plants under some legal authority, were entitled to come in under the act, and the properties then used in the development of power should be valued as of the date of the act; that is, the fair value.

Senator BROOKHART. Would the rules for valuation of that property be the same as for the valuation of railroads?

Mr. RUSSELL. I was just coming to that, Senator.

On the rule of fair value, we would have to take into consideration the historical cost, the actual cost, the earnings, the capitalization, its funded indebtedness, and all of the electrical construction, its reproduction new, its reproduction less depreciation, and all of the elements laid down in *Smythe v. Ames*, the *Minnesota Rate* cases, and other cases. In determining fair value we would be required to do that. That is distinct from the proposition that plants constructed under the act are only entitled to the net investment.

Senator BROOKHART. That is one thing I am very deeply interested in about these permits that have been issued, whether they protected the public and eliminate these difficult subjects of valuation.

Mr. RUSSELL. They do, Senator, and I will be glad to discuss that with you. But I would like to complete my statement with regard to Niagara Falls. If you will call my attention to it later, I will be very glad to explain what little I know about it.

Senator BROOKHART. Very well.

Mr. RUSSELL. The valuation of the Niagara Falls Power Co. under this license has never been undertaken.

Senator BROOKHART. Why not? Why was it not done?

Mr. RUSSELL. I was just coming to that, if I may.

I think it was on December 4, 1929, after many conversations with Mr. Bonner about it, in which we were told to let it alone and not to do anything about it, I addressed a memorandum to him which you will find in these files, calling his attention to the fact that this valuation was 9 years old, and every day it got that much older, and that we should get a valuation engineer and a valuation accountant to get us started on the way toward preparing an inventory and getting the thing done.

His answer to my memorandum—and you will find it in the files—was that that was being handled by the proper persons. I never found out who they were, except that I have been informed and I have seen the engineers in his department reading law books. The matter has never been referred to me at all since that day. There it remains. What they have done with reference to it I do not know. It has not been referred to me.

Senator WHEELER. In other words, Bonner is having engineers pass upon legal questions and not referring them to the legal department. Is that it?

Mr. RUSSELL. That was done as late as yesterday or the day before.

Senator DILL. Have you men available to go ahead?

Mr. RUSSELL. I could if they would give me the men and the money.

Senator DILL. Are there sufficient appropriations to do that?

Mr. RUSSELL. There is sufficient appropriation now to cover the employment of such an engineer. It will take him several months to complete the inventory and to develop the unit prices to be applied to the inventory on the items of property. We have a sufficient appropriation to do it, but it has not been done. That money has been available ever since July 1 of last year.

Senator BROOKHART. The law requires that to be done?

Mr. RUSSELL. It does.

Senator BROOKHART. Mr. Bonner has never called that to the attention of the commission and had them pass on it directly?

Mr. RUSSELL. Not so far as I know. I have never discussed it with the commission myself.

Senator WHEELER. What are some of the legal questions involved which they are asking the engineers to pass upon?

Mr. RUSSELL. The claimed value of the Niagara Falls Power Co., as I recollect—and I am speaking, now, in round figures; I may be off some amount—is about \$77,000,000 as of March 2, 1921. The fact of the matter is that all we can find in the investment account, and I think Mr. King can confirm me on that, is a matter of about \$32,000,000. The rest of these depends upon the interpretation of the legal rights to the inclusion of certain amounts in valuation.

Senator BROOKHART. It sounds just about like railroad men to me.

Mr. RUSSELL. They come pretty close to it, Senator.

Senator DILL. Are they going to take into consideration the value of a permit or franchise?

Mr. RUSSELL. They have got \$30,000,000 in there as the value of the water that the Government gives them, and the Government takes it back at the expiration of the license, and this \$30,000,000 is capitalization for the public to pay rates upon and for which they ask the Government to reimburse them at the expiration of the license.

Senator DILL. Is it not probable that if it went to the Supreme Court it would be declared valid?

Mr. RUSSELL. I can not anticipate what the courts may do.

Senator WAGNER. They decided an entirely different question in the Baltimore case.

Senator KEAN. There was an old plant which the Baltimore company owned which had water rights away back.

Senator BROOKHART. Vested rights?

Senator KEAN. Surely.

The CHAIRMAN. Let the Senator from New Jersey complete his question.

Senator KEAN. They had these vested rights in that old water power. They had to buy it out, and it has a value. How much, I do not know.

Mr. RUSSELL. Whatever those vested rights may consist of, Senator, in my opinion they do not and should not include any value for water under the water power act, because the values that they paid for this water are to be entirely eliminated from any valuation. What they did before that time we have nothing to do with. They are operating under the Federal water power act which says that values for water or water rights shall not be included and capitalized; and I do not propose, as long as I am solicitor, that the company is going to add a dollar that way.

After having this discussion about valuation which I have not been able to get anywhere with, the assistant chief counsel, who is now acting chief counsel and is here in the room, called my attention recently to the fact that under the law the Niagara Falls Power Co. is not entitled to the value as specified in article 9 of the license, for the reason that in the Tule River case, decided by the commission, and in the Utah Light & Power Co. cases decided by the commission, subsequent to the issuance, however, of the license in the Niagara Falls matter, the commission has held point blank, without any equivocation, that where a plant is operating within the jurisdiction of the Federal water power act and has no right or authority to continue, it was not entitled to the value of its property but only to the net investment.

This Niagara Falls Power Co. did not have any right of continuous occupancy or use of the water when they received their license on March 3, 1921. They did not have any right to the continuous use or authority to use that water on January 3, 1921. When they filed their application they did not even have any authority to continue to use that water on July 3, 1921, because by operation of law due to the passage of the water power act, the law canceled the certificate they had from the Secretary of War on June 10.

Senator DILL. Has anybody contended in the courts that they have vested rights in water that had accrued previous to the passage of the water power act?

Mr. RUSSELL. That question has not yet arose.

Senator DILL. Is any claim being made by any one to that effect?

Mr. RUSSELL. Not that I know of. Mr. King can answer that, I think.

Senator DILL. Is the claim being made in certain cases that before the act was passed certain rights had accrued?

Mr. RUSSELL. Yes.

Senator DILL. Do I understand that the accounting department has made complete accounting of the actual investment?

Mr. RUSSELL. That has not been completed, has it, Mr. King?

Mr. KING. No.

The CHAIRMAN. Have you discussed this matter with Mr. Thad Brown?

Mr. RUSSELL. I did when he was there.

The CHAIRMAN. What was his attitude?

Mr. RUSSELL. Mr. Brown agreed with me on everything that I ever did while I was solicitor and he was chief counsel. He was a very high-class man to get along with. I will say that for Mr. Brown.

Senator WHEELER. I notice in the hearings before the House committee that Mr. Woodrum asked Bonner this question:

"I would like to have you explain briefly to the committee and for the record just exactly what this accounting and valuation work is."

Mr. Bonner answered:

"The valuation work is relatively unimportant."

"Mr. Woodrum. Is what?"

"Mr. BONNER. Is relatively unimportant. We have few cases that involve valuation."

Is that correct?

Mr. RUSSELL. That is true, Senator. When you take out the Niagara Falls and the Minnesota Light & Power case, which I rendered a decision on likewise, the valuation of these properties under the act, section 23, is limited to practically nothing.

But that does not dispense with the proposition, Senators, that under the very intent of this law we must continue valuation principles, where we are working under the investment theory—

Senator BROOKHART. Why is that necessary? I do not understand that.

Mr. RUSSELL. It is necessary for men to understand something about valuation in order to determine what is the actual investment in these properties.

Senator BROOKHART. That is, prudent investment?

Mr. RUSSELL. Yes.

Senator BROOKHART. Is that the language of the law?

Mr. RUSSELL. No.

Senator BROOKHART. Actual investment?

Mr. RUSSELL. The actual legitimate cost of construction shall be used as the basis of net investment.

Senator BROOKHART. If it included lobby fees, they could get at it under the terms of the law?

Mr. RUSSELL. Certainly, Senator. I will give you an illustration right now. I haven't it here with me, but there is one item of one of the power companies of \$140,000 that is labeled by the power company themselves as lobbying fees in a letter to the commission, and I find \$140,000 set up as an actual cost of construction of the project.

Senator BROOKHART. What company was that?

Mr. RUSSELL. That is the Byllesby Co., and it is charged to projects 350, 285, and 310.

Senator WHEELER. When do they charge that the lobbying was done?

Mr. RUSSELL. On the water power bill between 1917 and 1921.

Senator WHEELER. They have spent \$140,000 lobbying in connection with that bill?

Mr. RUSSELL. They paid one man monthly items on the bill. I did not bring it with me. I have it over in my office.

Senator BROOKHART. Who was this lobbyist?

Mr. RUSSELL. His name was Flynn.

Senator WHEELER. Where is he from?

Mr. RUSSELL. I do not know. He is now a member of the firm of Cummins, Roamer & Flynn, who are the attorneys for the Byllesby people in Chicago.

Senator PINE. And they charged that amount to power properties in Minnesota?

Mr. RUSSELL. They charged it as actual cost of construction of those properties, and it is entered in the account.

Senator PINE. And they are going to permit the people of Minnesota and Wisconsin to pay on that as long as they use electricity in Wisconsin and Minnesota?

Mr. RUSSELL. Yes.

Senator WHEELER. The Government would have to pay back the money that the company paid for lobbyists?

Mr. RUSSELL. Certainly.

Senator WHEELER. Have you any other cases of that kind?

Mr. RUSSELL. Mr. King can give you illustrations of a great many of them. I can tell you one now of \$700,000 that I know of in Pennsylvania.

Senator WHEELER. For lobbying?

Mr. RUSSELL. Yes.

Senator WHEELER. Do you mean to say that they put in a bill for \$700,000 for lobbying?

Mr. RUSSELL. We do not know what it is, Senator. There is some of it for lobbying or for something else, which we have been unable to find out.

Senator WHEELER. Do I understand you to say that that is what Bonner does not want you to go into?

Mr. RUSSELL. Oh, he did not say he did not want us to go into that, no; I would not say that.

Senator DILL. Has the commission power now to compel the disclosure of what these charges are for?

Mr. RUSSELL. They have, if they let me go ahead.

Senator DILL. Under the law you think you have that power?

Mr. RUSSELL. Yes.

Senator DILL. To subpoena them and take them into court?

Mr. RUSSELL. Yes.

Senator DILL. And the law is fully ample?

Mr. RUSSELL. I think so, although there are some few things that ought to be made a little more definite and certain.

Senator WHEELER. How long do you expect to stay with the Power Commission if you continue to look into these lobbying accounts of the power companies?

Mr. RUSSELL. I can not tell. I am holding on from day to day now.

The CHAIRMAN. You do not mean to imply that the commissioners are not in sympathy with you?

Mr. RUSSELL. I want to say that every time I have discussed one of these matters with the commissioners themselves I have found them absolutely in sympathy with my views, Senator.

The CHAIRMAN. And they are your superior officers, are they not?

Mr. RUSSELL. They are; and if those three commissioners had the time to sit down and listen to these troubles that Mr. King and myself have about these matters, I would not fear for one moment the proper disposition of them.

Senator PINE. What is the specific reason for your troubles?

Mr. RUSSELL. One is the lack of personnel; another is—the principal lack that I see in the present system is the secretary, who is undertaking to determine questions of law and questions of accounting that he does not know anything about.

Senator WHEELER. I would gather from what you say that you feel that Mr. Bonner is not at all in sympathy with your efforts.

Mr. RUSSELL. Not at all.

Senator WHEELER. You did not mean to imply that the secretaries were not in sympathy?

Mr. RUSSELL. Not at all.

Senator WHEELER. But I did gather from your statement that Mr. Bonner is not in sympathy with you. He is your immediate superior, is he not?

Mr. RUSSELL. That is correct, Senator.

Senator WHEELER. He is the man, after all, who hires or fires the legal department?

Mr. RUSSELL. No; he can not hire nor fire me. The commission can do that.

Senator BROOKHART. You would have been fired long ago if he could.

Senator WAGNER. The company that you have mentioned, being in my State, gives me, perhaps, a little specific interest in it. Has any valuation ever taken place so far by the commission?

Mr. RUSSELL. No, sir. They have never started it as far as I know.

Senator WAGNER. You said a moment ago that they claimed a valuation of \$77,000,000?

Mr. RUSSELL. That is my recollection, Senator.

Senator WAGNER. In that is included some \$30,000,000 which is what they assess as the value of the water or the right to the use of the water that the Government has given them?

Mr. RUSSELL. They call it the value for the use of this water.

Senator WAGNER. Just as railroad companies value easements or something of that kind which the Government has given them?

Mr. RUSSELL. Rights in public domain.

Senator WAGNER. Do you happen to know whether or not the Niagara Falls Co. is regulated by the State public service commission as to the rates to be charged?

Mr. RUSSELL. Yes; locally.

Senator WAGNER. You do not attempt to do that in the Water Power Commission?

Mr. RUSSELL. We have not attempted to do it, but the act requires us to do it. There has never been anything done relating to the regulation of rates or the issuance of securities under sections 19 and 20 of the act.

Senator WAGNER. The commission has never attempted to fix any rates?

Mr. RUSSELL. No.

Senator WAGNER. Do you happen to know, in the fixation of the rates by the State regulatory body, whether or not this \$77,000,000 is used as the basis for rate making?

Mr. RUSSELL. I do not, Senator. I know that the basis that they claim to us is upon some appraisal company's valuation that was made in 1918 which they have brought down to later dates by accounting methods.

Senator WAGNER. Of course, as an expert you can readily see—even a child could see—that if that \$30,000,000 were taken out of the valuation for rate-making purposes it would make a very great difference in the reasonable rate of return?

Mr. RUSSELL. Certainly.

Senator BROOKHART. Do you know what their rates are?

Mr. RUSSELL. I do not, without examining them again.

Senator KEAN. The Niagara Falls Power Co. does do an interstate business, does it?

Mr. RUSSELL. I do not know, Senator. I have never gone into that question.

Senator KEAN. It is intrastate business entirely.

The CHAIRMAN. That is not a factor so long as the Federal Power Commission has a right to go into it.

Mr. RUSSELL. I do not know whether they transport any energy in interstate commerce or not. I don't think they do.

Senator WAGNER. I do not think that is important, either, but I understand that they do at times, when they need more power than they can supply themselves, get it from the other side.

Mr. RUSSELL. They import energy from the other side, but they do not export.

The CHAIRMAN. I would like to suggest at this point that counsel for the committee inquire of the regulatory board of the State of New York on what basis they claim valuations for rate-making purposes.

Senator WAGNER. As a matter of fact, the legal situation as to what the respective rights of the State and the Federal Government are to either permit the diversion of water or to forbid the diversion of water, is a field that is really unexplored?

Mr. RUSSELL. Yes.

Senator WAGNER. As a matter of fact, those questions should have been determined long ago?

Mr. RUSSELL. They should have been.

Senator WAGNER. And that really is up in the air even to-day.

Mr. RUSSELL. Even to-day; yes.

Senator BROOKHART. It ought to be decided, because it would make more definite regulation of rates either by the Federal Government or by the State.

Senator DILL. Has there been any complaint to the Power Commission, that you know of, as to rates?

Mr. RUSSELL. None that I know of. You understand, Senator, that the power vested in the Federal Power Commission under the

act is a permissive power which the courts have construed to be mandatory when the public is involved. That has not been done. I have urged it, however.

The CHAIRMAN. Are there any further questions?

Senator WHEELER. Do I understand that Mr. Bonner has practically turned over the legal work of the department to the engineering department down there?

Mr. RUSSELL. I do not know, Senator; but up until about two weeks ago he had not referred a matter to me for months. He has referred to the chief counsel matters that I should pass upon. They were not referred to me.

Senator WHEELER. Do you know why that was?

Mr. RUSSELL. I do not. That occurred shortly after the Montana hearings.

Senator WHEELER. Why did he do it after the Montana hearings?

Mr. RUSSELL. Well, I can not tell you why. I know he did.

Senator WHEELER. Was there anything that took place in that hearing that would lead you to believe that that was the reason for it?

Mr. RUSSELL. He ordered me out of the hearing.

Senator WHEELER. Out of what hearing?

Mr. RUSSELL. The Montana power hearing.

Senator WHEELER. Why did he order you out of that hearing?

Mr. RUSSELL. He said it was because he did not like the questions I was asking.

Senator PINE. What questions were you asking?

Mr. RUSSELL. The Montana power hearing, Senator, was a matter in which I as solicitor would have nothing, ordinarily, to do with. That is my home, out there, and I am familiar with the local situation.

Up until three or four days before the hearing in the Montana power case—it is the Rocky Mountain case, properly—

Senator WHEELER. The hearing on the Flathead power site?

Mr. RUSSELL. Yes. Numbers of people had asked me about my appearance in that matter, and I had repeatedly told them that it was in the jurisdiction of the chief counsel and not mine, and I had nothing to do with it.

On Friday preceding the Monday that the hearing began Mr. Scattergood, of the Indian Bureau—assistant commissioner, I believe he is—brought to me some matters of accounting that he wanted brought out. He had worked out some sort of a plan that he wanted developed. We called Mr. King in and discussed it with him, and I then told him that that was not within my jurisdiction, and we called Mr. Brown, the chief counsel. Mr. Brown, Mr. King, and myself and Mr. Scattergood—I don't remember whether Mr. Lawson was present or not—however, it resulted in Mr. Brown requesting that due to my familiarity with the local situation out there and familiarity with accounting matters that I should sit in at this hearing and conduct questions on those matters.

I then spoke to Mr. Bonner about it and he said it was all right with him, whatever Brown said.

So when the hearing began on Monday I sat with the other members of the staff in the hearing, and on Tuesday when one of the applicants, Mr. Wheeler, was on the witness stand, I asked him some questions about whether or not he intended to have his company operating its plant supervised by some management corporation, like the Electric Bond & Share or the Byllesbys, and he said no, he did not.

Then on Wednesday, the next day, a Mr. Burch, an engineer whom I have known away back in my Wisconsin days, was on the witness stand and was testifying about the rates of this applicant company, and during his testimony I asked him a question as to whether or not the fact that a corporation was managed and controlled by one of these management corporations would affect the rate to be charged, and he said that it would; that that would simply create additional expense that would have to be met in the rates.

Senator WHEELER. How would that be? I am not familiar with those holding companies.

Mr. RUSSELL. These holding companies simply add more on.

Senator WHEELER. How do they do it? Take any specific company and give us an illustration.

Mr. RUSSELL. Senator, that would take me quite a long while, and I would prefer that Mr. King do it, because he is more familiar with it than I am.

The CHAIRMAN. It is about the same as the 4 per cent rate charged by the A. T. & T. for supervising the various companies?

Mr. RUSSELL. Oh, no, Senator. They put in there charges that you can not recognize. They are not based on percentages at all. If they were, it would be a simpler matter.

Thereupon, on Thursday morning, Mr. Bonner called me on the telephone and said to me that he did not like the questions that I was asking and wanted me to stay out of that hearing. He asked me who I represented, and I told him that I was trying to present the record the best I could. He said, "I know what goes into that record, and I know what I am going to have in that record, and I want you to stay out of the hearing."

And so I stayed out. That is all the story there is to it.

Senator WHEELER. After that you went back into the hearing, did you?

Mr. RUSSELL. Secretary Wilbur, when it was called to his attention, requested that I go back into the hearing, and I remained in it until it closed.

Senator DILL. Did you ask questions?

Mr. RUSSELL. Oh, yes; lots of them.

The CHAIRMAN. Mr. Green, the counsel for the committee, has some questions that he would like to ask.

Mr. GREEN. With reference to this Niagara Falls project, there is one matter to which you called attention in your memorandum of January 7 that I think is important to get on the record, and that is with reference to the difficulty in making a valuation of that project because of the inability of the accountants to get records.

Mr. RUSSELL. Yes. When I went down there and discussed these matters with Mr. Merrill prior to the time I became solicitor, Mr. Merrill pointed out to me that there were six companies, I believe, that had refused access to their books and that we would have to proceed immediately to get possession of these books before we could do anything.

Immediately after I went down there I began to inquire what these cases were, and in looking over the records I found that the demand went away back 3 or 4 or 5 years ago, and I was somewhat fearful of attempting a mandamus action under those circumstances. The court might say, "You have not tried it lately; maybe they will give them to you now."

I brought the matter to Mr. Bonner's attention, that there ought to be new demands served in writing and to get a refusal in writing, so I could proceed. But he said, no, there was certain other work that had to be done, and he would not let me do it; and the matter rests there now.

Mr. GREEN. Is it possible to make a valuation of the Niagara Falls project without getting access to the records of the constituent companies?

Mr. RUSSELL. It is not. You can not get a valuation on any of their projects unless you get access to the cost of construction.

Mr. GREEN. Did they make any statement to you themselves as to whether they would allow you to examine the books of the constituent companies?

Mr. RUSSELL. They told me on September 6 or 7 that they were going to stand on their refusal.

Mr. GREEN. Have you ever had an opportunity to start a mandamus action?

Mr. RUSSELL. I prepared a draft of all the pleadings for that purpose when I ran into this question that the chief counsel brought to me, that they were not entitled to valuation.

Last evening about 4.20 Mr. Bonner brought me a letter—or sent it to me—in which he had referred this recent opinion of mine that they were not entitled to valuation to the Niagara Falls Power Co., yesterday.

The valuation matter, eliminating the Niagara Falls and the Minnesota Light & Power Co., which is another one somewhat in the same category—we have no actual valuation cases that need to bother us a great deal. We can get along very nicely, because those are small matters that would not take a great deal of time, and the Government would not suffer much if anything, and the people would not, no matter what we might do ultimately with the others.

Senator BROOKHART. Is that letter private?

Mr. RUSSELL. I assume it is, Senator.

Senator BROOKHART. You say valuation is not necessary. I do not see why it is necessary to even value Niagara Falls.

Mr. RUSSELL. It is not, in my opinion. That is the opinion I have just rendered; that there is an illegal provision in the license and it should be disregarded by the commission. That is the position that the assistant chief counsel takes with me.

Senator BROOKHART. Then why should you proceed with valuation at all? Why should there be anything done on that subject?

Mr. RUSSELL. Nothing except this, Senator. I am trying to visualize it somewhat in the future, because we have not met the situation face to face. When we come to conduct hearings, which we are now attempting to do, to determine the net investment in these properties which we have got to do, by the elimination of those items, by showing the actual cost, we should have an engineer who is familiar with valuation problems so as to determine the actual cost of those items of property.

Senator BROOKHART. I can see that you should have that kind of an engineer, but I can not see why it would be necessary for him to make a physical valuation of the property.

Mr. RUSSELL. It would not. These valuation features would continue until the very end of the license.

Mr. GREEN. In determining net investment, is it necessary to have access to the books of the constituent companies?

Mr. RUSSELL. Certainly; we have got to have them.

Mr. GREEN. Will you make a statement as to the Secretary having destroyed memoranda sent him by you with reference to department matters?

Mr. RUSSELL. That was in this connection. On November 27, being unable to get any action, the commission directed that some of the cases that we could get into shape be immediately prepared and brought to them for a decision. We thereupon proceeded, Mr. King and I, with what force we had, and we have gotten out four cases, I think it is, complete.

In the first of those, shortly after the protest was filed it was necessary to serve a notice of hearing. The first one to come up was the Niagara Falls Power Co., not in connection with the valuation but in connection with an amendment to the license, where they are trying to put a million and a half more into capital.

I prepared a formal notice to the Niagara Falls Power Co. setting the matter for hearing, the form used by the Interstate Commerce Commission, where I had had my training, a formal notice directed to them, executed in the proper manner.

I sent it up to Mr. Bonner and he returned it to me and wrote them a letter about it, which did not mean anything. In all of the other cases that I have prepared notices for he has disregarded them.

In what is known as the Lexington Water Power case I prepared such a notice. Mr. Bonner sent it back to me with a note to the effect that he had revised it, which revision in fact called for a town meeting—it was not addressed to anybody, nobody in particular and everybody in general.

The CHAIRMAN. What do you mean by that?

Mr. RUSSELL. Just what I say, Senator. It was a notice to the general public that there was going to be a hearing, but it did not notify the power company that they were required to come there and present their evidence in support of the protest.

Senator BROOKHART. Did they not come in?

Mr. RUSSELL. Let me go on and explain.

He sent that back, and I told him that as solicitor for the commission I requested that the notice as prepared by me be executed and served on the company; and I submitted the question to the commission by sending each one of the commissioners a copy of my memorandum and a copy of the notice. Thereupon Mr. Bonner sent a telegram, which I did not know about until some time afterwards, asking if they would agree to some date, and the case has not been set yet. In fact, we have not any of them set.

Senator WAGNER. What was that million and a half dollar item? What did it involve?

Mr. RUSSELL. That is another long story. I can answer it if the Senators care to hear me.

Prior to the treaty with Great Britain in 1910, and going back about a hundred years ago, water from the Erie Canal locks had spilled into what was known as Eighteen-Mile Creek. The water spilling from the locks under the old Erie Canal Construction Co., with the surface waters intermingled with it, created somewhat of a flow down Eighteen-Mile Creek. As a result of this water going down Eighteen-Mile Creek a number of small industries sprang up using water for water wheels, and some for hydroelectric power and others for tanneries, and so forth. That condition existed up until along about 1925.

There is another company up there known as the Niagara, Lockport & Ontario Co., which up to 1925 was a separate and distinct company from the Niagara Falls Power Co. It was controlled by the Correys, I think. The Schoellkops controlled the Niagara Falls Power Co., and I think a man by the name of Correy controlled the other.

Proceedings before the Federal Power Commission resulted in the Power Commission's granting a license to the extent of 275 second-feet of water included in the treaty water of 20,000 to these small industries on Eighteen-Mile Creek. So that was how it came about that only 19,725 second-feet was up to the present time licensed to the Niagara Falls Power Co.

In 1926 the Niagara, Lockport & Ontario Co. being in the field of producing energy and furnishing small industries, purchased these 13 industries on Eighteen-Mile Creek, bought them out, or purchased their capital stock or got control of them in some way; and at the time of the acquisition of these 13 industries by the Niagara, Lockport & Ontario Co., the individual companies holding these licenses of the Federal Power Commission for 275 second-feet released that water to the United States Government, so that the license for the 275 second-feet to these industries was out of the way and the water was back in the control of the Federal Government, the same as the balance of the 20,000 second-feet. In other words, the license was wiped out.

Thereupon the Niagara Falls Power Co. made application to amend the present license to include the 275 second-feet and asked that there be inserted in their capital account \$1,500,000 as the cost to them of obtaining the 275 second-feet.

Senator BROOKHART. When it had been entirely released to the Government?

Mr. RUSSELL. Yes; and did not cost them a nickel and they never paid a nickel for it.

Senator WHEELER. How did they get that \$30,000,000 in their value?

Mr. RUSSELL. Senator, that is a long, involved computation, and I could not give it to you offhand.

Senator WHEELER. I was wondering, because you spoke of it and said they were putting in \$30,000,000, a fictitious amount.

Mr. RUSSELL. True.

Senator WHEELER. And I was wondering if you could not tell me briefly just what it was for and what they claim it is for.

Mr. RUSSELL. They claim it is a value for this water that the Government has permitted them to use.

Senator WHEELER. It is all similar to this little item that you have just described?

Mr. RUSSELL. Yes; but that is not all. If we permitted \$1,500,000 to go into the capital account for the 275 second-feet, find the cost for second-feet that the million and a half represents and apply it to the 19,725 second-feet, it would be about \$107,000,000 value for their water.

Senator WHEELER. This \$30,000,000 you say is for water that the Government permitted them to use?

Mr. RUSSELL. Leased to them or granted them under their permits, under the treaty with Great Britain. They did not pay anything for it. It is for the use of the water.

Senator BROOKHART. I see no difference, really, in that and the item that you described in detail.

Mr. RUSSELL. Only this, Senator. As to the small item it is claimed that it actually cost them \$1,500,000. They claim that it cost them \$1,500,000 because the Ontario Co. caused it to be released to the Government, and that the value of the release by the Ontario Co. to the Government was \$1,500,000. They claim that the Ontario Co. and the Niagara Co. are both controlled by

the same company, and that there is a moral obligation upon the Niagara Falls Power Co.—

Senator WHEELER. Why did the Ontario Co. release it?

Mr. RUSSELL. They did not release it, Senator. If the Ontario Co. released it, we would have a different state of facts. But the individuals who had the license released it.

Senator WHEELER. How does it differ from the \$30,000,000?

Mr. RUSSELL. I do not know how that is made up, except that I know it is not made up upon the question of cost to them. Mr. King can give you just what their claim is, because we have it at the office. I would not attempt to tell you what it is.

Mr. DILL. Then I desire to call attention also to another phase of that dispute.

It seems that the Niagara Falls Power Co. bought up a number of the small companies down Eighteen-Mile Creek, below Niagara, into which the spillway discharged water in the years past. By that purchase they secured 20,000 second-foot flow. They turned back to the Federal Government 275 feet of that water, and then they applied for a license to use the 275 feet, and they placed a valuation of \$1,500,000 on the 275 feet of water. Mr. Russell pointed out that if the commission allowed that as a charge, the Niagara Falls Power Co. would then be in a position to insist that its remaining 19,725 feet were worth \$107,000,000 of value for purposes of rate making. Thus, this case becomes a key case, as it were—a case that will set a precedent for tremendous valuations in connection with that particular plant.

I desire also to put in the RECORD the testimony, beginning on page 48 of the hearings, of Mr. King regarding the Clarion River plant in Pennsylvania. These hearings begin on page 48 and run through to page 51.

The PRESIDING OFFICER (Mr. GEORGE in the chair). Without objection, it is so ordered.

The matter referred to is as follows:

The CHAIRMAN. I remember Mr. Russell saying something on yesterday about \$700,000. What case was that?

Mr. KING. That \$700,000 was in a somewhat different category. I think what Mr. Russell referred to were some payments, or rather some charges, by the Clarion River Power Co., to the plant-investment account of a project up in Pennsylvania on the Clarion River. The Clarion River Power Co., at the time the license for that project was issued, several years ago, and during the time of the construction of the project, was controlled by a firm of bankers in New York City known as H. D. Walbridge & Co. That firm of bankers controlled in Pennsylvania a public-utility corporation which was operating. It controlled also a real-estate company in Pennsylvania. It controlled also a construction company. The bankers prevailed upon that public utility in Pennsylvania to guarantee the bonds of this Clarion River Power Co.

The CHAIRMAN. I did not get that. Who did they prevail upon?

Mr. KING. A public-utility company in Pennsylvania which was operating and which had financial standing.

The CHAIRMAN. To guarantee whose bonds?

Mr. KING. The bonds of the Clarion River Power Co.

The CHAIRMAN. I see.

Mr. KING. They persuaded their construction company to enter into a construction contract with the Clarion River Power Co. to supervise the construction of the project. And they caused the real-estate company to transfer to the Clarion River Power Co., the licensee, the lands necessary for the purposes of the project. Here are some items that the bankers proposed to charge to the investment in that project:

"Services securing contract with General Construction Corporation for construction of plant, \$200,000."

The Walbridge Co. controlled that General Construction Corporation. And these are all charges made by these bankers:

"Services securing contract with Penn Public Service Corporation to purchase output of plant, \$200,000."

That Penn Public Service Corporation was controlled by the Walbridge people. This local company further agreed to take the output of this project upon the representations of the Walbridge Co., and for that service H. D. Walbridge & Co. charged \$300,000.

The CHAIRMAN. In other words, that \$300,000 was simply for getting them to sign the contract to take the output?

Mr. KING. Yes, sir.

Senator HASTINGS. And was a corporation which they controlled.

Mr. KING. Yes, sir.

Senator GLENN. Then, as a matter of fact, they persuaded themselves to do it.

Mr. KING. Yes, sir.

"To guarantee payment of principal and interest of Clarion River Power Co.'s bonds, \$200,000."

That makes \$700,000. But that is not all:

"Expense in connection with issuance of securities by Clarion River Power Co. and familiarizing local investors with the market for the Clarion River Development, \$294,102.80."

And then there is this further:

"Total charges by H. D. Walbridge & Co. for services and expenses, \$2,214,000."

Senator HASTINGS. Wait a minute. Is that a summary of all the items, or is that in addition? Is that sum of \$2,214,000 in addition to the other items you gave us?

Mr. KING. There is one item that I did not read. They made a charge for engineering services and exploration work, including drilling to disclose foundation conditions, \$1,119,897.20.

Senator HASTINGS. And your total is \$2,214,000?

Mr. KING. The total is \$2,214,000; yes, sir.

The CHAIRMAN. Just at that point: There is more or less legitimacy in the last charge, provided the amount is correct. What method have you of analyzing the correctness of the amount for drilling and other engineering services?

Mr. KING. That could only be done by a very careful examination of the account. In this particular case H. D. Walbridge & Co. denied access to their books and records, so that we have never determined all the facts.

Senator HASTINGS. They would not permit you to have access to their books and records?

Mr. KING. They would not. May I read a little further here?

The CHAIRMAN. Yes.

Mr. KING. There was a charge on account of the General Construction Co., which was owned by H. D. Walbridge & Co.

Senator WHEELER. Speak a little louder, please.

Mr. KING. I say, there was a charge made to this project and paid to the General Construction Corporation for expenditures and services, including salaries of general officials, expense of New York office, and contractor's overhead and profit, in addition to promotion and financing services for general engineering and supervision, \$2,550,000.

Senator WHEELER. Is that in addition to the other figure of \$2,214,000?

Mr. KING. Oh, yes; that is in addition. Then there is "Unidentified items" apparently to balance that other amount, \$44,736.81. Total charges by General Construction Corporation for alleged services and expenses, \$2,594,736.81.

The CHAIRMAN. So when they could not find enough items to which to allocate the amount they decided to charge they added \$44,000 to make it come out even; is that right?

Mr. KING. Perhaps so.

Senator HASTINGS. You do not mean to say that this has been approved by the Federal Power Commission or your office, has it?

Mr. KING. Oh, no, indeed. It has not yet been presented to the commission.

Senator GLENN. How large a project was it?

Mr. KING. The amount claimed as the cost of that project is \$11,032,816.57. The accountants could only identify about one-half of that amount as being actually expended on the project.

The CHAIRMAN. I should like to ask in that connection: What have you to suggest if necessary in order to get access to those books, as you say you could not get them. What can the Congress do, or what can be done in any way, to get at those books?

Mr. KING. I do not know that it is necessary for the Congress to do anything. I think the Federal Power Commission has authority under the act to enter upon mandamus proceedings and obtain possession of the books. Mr. Russell can give you a better opinion on that, however, than I can.

Senator HASTINGS. Well, aren't you in a position to do this: Take the items you can prove and let the Federal Power Commission say that is all that will be approved unless they can show to the commission that they had more than that as a legitimate expense? That would make it necessary for them to produce their books. Have you the right under the law to do that?

Mr. KING. That is a question.

The CHAIRMAN. Mr. Russell might put in at this point what he has to say about that.

Mr. RUSSELL. As to whether or not the present act would give us authority to proceed, is that the question, Mr. Chairman?

The CHAIRMAN. Yes.

Mr. RUSSELL. We have ample authority under the act, which was closely drawn according to the wording of the interstate commerce act, which act the courts have held gave the Interstate Commerce Commission the right to examine books. The trouble with the Senator's question about going ahead and putting into the record what we can find is this, and we have had that under discussion: Under our present act we have to make a finding as to what the net investment is, and we would hardly be justified in arbitrarily saying we could not find anything more without going further and getting the books and determining as closely as we can what would be the proper result.

The CHAIRMAN. That would be true if you have authority to go into their books.

Mr. RUSSELL. We have authority if the commission will let us proceed.

The CHAIRMAN. Why has that authority not been given?

Mr. KING. I tried to explain it on yesterday, that Mr. Bonner told me we were not to interfere with any of these things, nor for me to do anything about it.

Senator HASTINGS. It seems to me the law ought to provide some criminal prosecution when things like these are attempted.

Senator WHEELER. And free action under the law would.

Mr. KING. The law provides a penalty in case they make a false return.

Senator WHEELER. Yes; and not only that, but you have upon the criminal statutes of the United States a penalty provided for the filing of false or fictitious claims, or for filing any sort of false claim before any department of the Government of the United States. There isn't any question but what, in my judgment, that

is a criminal offense and ought to be punished. Of course, I do not say that these are facts; but what I mean to say is, if this is a false and fictitious claim. I do not want to be understood as criticizing it and claiming it is a false and fictitious claim, because I do not know that. But assuming that what has been said here is correct, then that is the situation.

The CHAIRMAN. Have you had any difficulty in getting access to the books of the management companies or holding companies to ascertain the merits of these claims?

Mr. KING. We have been refused access to certain records of Electric Bond & Share.

The CHAIRMAN. Any other company?

Mr. KING. The Niagara Falls Power Co. denied us access to the records of its predecessor company. The present Niagara Falls Power Co., a corporation created in 1918 by consolidation and merger of three other corporations, has denied us access to the records of those constituent corporations.

Senator WHEELER. There was some testimony here on yesterday with reference to Byllesby—is that the name of the company?—of a \$140,000 claim of theirs.

The CHAIRMAN. That was the Byllesby Co.

Mr. KING. Back in 1924 or 1925, I think it was, an audit was made of the accounts of the El Dorado Power Co. out in California, in the charges to the project, which is No. 184, in California. We found an item for attorneys' fees in Washington, D. C., amounting to \$26,479.44. Investigation of that item disclosed that it was a payment to Mr. D. T. Flynn or to Cummins, Roemer & Flynn, attorneys for the Byllesby interests. Recently in auditing the account of certain projects in Wisconsin and Minnesota, namely, Nos. 250, 285, and 310, on the Mississippi and St. Croix Rivers, we found charges aggregating \$137,560.08, representing similar payments to Cummins, Roemer & Flynn or D. T. Flynn, or to other individuals through the firm of Cummins, Roemer & Flynn. Those payments represented the salary and expenses of Mr. D. T. Flynn or Cummins, Roemer & Flynn, or others, during the period from January 5, 1917, to March 24, 1925. And it appears that during that period Mr. Flynn was paid about \$1,950 per month. I have here the details of these charges submitted by the Byllesby Engineering & Management Corporation in a letter to the Federal Power Commission, dated January 9, 1928. The investigation by the auditor of the commission showed that the charges made to these projects in Wisconsin and Minnesota were larger by several thousands of dollars than as shown by the statements submitted by the Byllesby organization.

Mr. DILL. I call attention to the fact that this is the case in which the lobby fees and the financing fees were paid to subsidiary corporations that are owned by the parent company.

Then, on page 55, I want to read the rather modest statement of Mr. King as to the differences between himself and Mr. Bonner. In answer to the chairman of the committee as to the differences with Mr. Bonner, Mr. King said:

The trouble with Mr. Bonner and myself, if you may so characterize it, is that our views are very different. I think Mr. Bonner did not understand the situation as I understand it, and he seemed to be more in sympathy with the power interests than I am, and he is rather inclined to neglect the interests of the public of the United States.

I think that is as gentle and kind a criticism as one man could make of another who differed as widely in their views as to the interests of the American people on this question.

Then, on page 95, I want to insert in the RECORD the questions between the Senator from Illinois [Mr. GLENN] and Mr. Bonner. This part of the record shows a very interesting fact. Nobody, I think, will accuse the Senator from Illinois of being what might be termed a radical on the power question; and yet the answers of Mr. Bonner to his questions so disgusted him that he finally quit asking questions at all. The striking fact is that Mr. Bonner's evasion and dodging of the questions as to the Clarion River plant is almost in identical language with the dodging answers that Mr. Smith made when I questioned him on the same subject for confirmation. It is a very striking fact that they both refused to take a position on it, except to dodge the question and keep themselves free to take the side of the power companies.

I ask leave to insert in the RECORD, beginning at page 95, that testimony.

The PRESIDING OFFICER. Without objection, it is so ordered.

The matter referred to is as follows:

Mr. BONNER. It might very readily happen that 50 per cent of the amount included in a prelicense expense claim would be subject to question, but that prelicense expense claim is ordinarily a very small part of the final cost, very obviously.

Senator WHEELER. Of course.

Senator GLENN. For instance, as I recall the testimony, and here is something about it:

"The CHAIRMAN. I remember Mr. Russell saying something on yesterday about \$700,000. What case was that?"

"Mr. KING. That \$700,000 was in a somewhat different category. I think what Mr. Russell referred to were some payments, or rather some charges, by the Clarion River Power Co. to the plant investment account of a project up in Pennsylvania on the Clarion River."

And then the discussion continued and Mr. King said this:

"Here are some items that the bankers proposed to charge to the investment in that project:

"Services securing contract with General Construction Corporation for construction of plants, \$200,000."

"The Walbridge Co. controlled that General Construction Corporation. And these are all charges made by these bankers:

"Services securing contract with Penn Public Service Corporation to purchase output of plant, \$200,000."

Now, it appears that this Penn Public Service Corporation was a subsidiary of the other company. In other words, they were charging one of their companies \$200,000 for securing a contract with themselves. Do you know anything about that?"

Mr. BONNER. I am not aware of the details of that case, Senator. But I want to say this, that any observations by members of the staff of the Federal Power Commission as to that particular case are quite premature at this time because that company has not even filed a sworn statement of its cost that is to be claimed in that project as yet. I think that was based upon some preliminary statement that might have been offered, and a personal interpretation of that statement, without any hearing or any evidence of the company's side being produced.

Senator GLENN. What has been your general attitude upon charges of that kind, where one corporation makes a charge for securing a contract with another corporation, both controlled by the same people?

Mr. BONNER. That will be entirely a matter to be settled in a legal way.

Senator GLENN. I know; but the question I am asking you is this: What has been your general attitude about it, upon charges of that kind?

Mr. BONNER. It has not been up to me to assume any attitude, because we have not had a case up for issue involving such a matter.

Senator GLENN. You have never had a case of that kind?

Mr. BONNER. No, sir.

Senator GLENN. Not before the Federal Power Commission since you have been with it?

Mr. BONNER. I think there are now four cases that have been reported by the accounting department for certain disallowances, and I think some of the proposed disallowances involve matters of that kind. I pass those on out to the company proposing the disallowances, and upon receiving their protest we set them down for hearing, and we will get the facts, and those facts will determine what we will do.

Senator GLENN. I have no doubt you will get the facts. But what will you do when you get the facts? If you have a case of this kind, what will you do?

Mr. BONNER. We have not had a case of that kind. All of the cases that have been settled have been settled by agreement.

Senator PINE. How about the Clarion River Power Co.?

Mr. BONNER. That project has been built.

Senator PINE. Don't you think that is the time to determine these matters, while the application for license is pending?

Mr. BONNER. I think the time certainly to get information about costs is while the construction is going on, and not depend upon going back to some paper record after the thing has been completed.

Senator PINE. Those are preconstruction costs, as I understand it.

Senator HASTINGS. Some of them are.

Senator GLENN. I should like to call attention to two or three other items here. It goes on to say:

"That Penn Public Service Corporation was controlled by the Walbridge people. This local company further agreed to take the output of this project upon the representations of the Walbridge Co., and for that service H. D. Walbridge & Co. charged \$300,000."

Now, that makes \$500,000. There is \$300,000 for again persuading themselves. But I continue reading:

"The CHAIRMAN. In other words, that \$300,000 was simply for getting them to sign the contract to take the output?"

Mr. KING. Yes, sir.

Senator HASTINGS. And was a corporation which they controlled?

Mr. KING. Yes, sir.

Senator GLENN. Then, as a matter of fact, they persuaded themselves to do it?

Mr. KING. Yes, sir.

"To guarantee payment of principal and interest of Clarion River Power Co.'s bonds, \$200,000."

So they charged \$200,000, and this is the third charge, for guaranteeing bonds of another one of their companies that they controlled. And then, although this makes \$700,000, that is not all:

"Expense in connection with issuance of securities by Clarion River Power Co. and familiarizing local investors with the market for the Clarion River development, \$294,102.80."

And then there is this further charge:

"Total charges by H. D. Walbridge & Co. for services and expenses, \$2,214,000."

Now, has your organization, or have you personally, any attitude upon charges of this character?

Mr. BONNER. Yes, sir.

Senator GLENN. What is it?

Mr. BONNER. Simply to determine them upon the basis of the facts and the law.

Senator GLENN. But that does not mean anything.

Mr. BONNER. Well, it means that everybody will get justice.

Senator GLENN. Do you think that these charges are justified?

Mr. BONNER. I would want to know the facts.

Senator GLENN. But I am asking you to assume for the purpose of my question that these facts are substantiated. Would you approve such charges as these as charges upon which the public must pay a return?

Mr. BONNER. Well, Senator, you understand that in these accounts we have nothing to do with rate of return.

Senator GLENN. Well, I know that they do affect the rate of return if they go into the construction cost.

Senator DILL. Mr. Bonner, why not answer Senator GLENN's question, assuming to be true these facts as stated here, would you favor allowing them?

Mr. BONNER. I would not want to give a curbstone opinion on that.

Senator GLENN. This is not asking for a curbstone opinion.

Mr. BONNER. I think it is.

Senator GLENN. This is a body of the Senate of the United States, and you are here before us on oath. You are not on a curbstone now.

Mr. BONNER. Of course, I do not know the facts.

Senator GLENN. But I say, assuming these to be the facts as they are presented here.

Mr. BONNER. You want me to assume these to be facts?

Senator GLENN. Yes; I want you to assume that these are the facts as stated here, then do you approve a charge such as this? Do you understand my question?

Mr. BONNER. I am not sure that I understand what your issue is now. Do you mean as to whether the board might properly allow as net investment charges made by one company to its subsidiary, simply a paper charge on the books between the two companies?

Senator GLENN. Yes.

Mr. BONNER. That certainly could not be allowed as a proper charge on investment.

Senator HASTINGS. In other words, that these two companies, both controlled by the same people, are in the position that one makes a charge of \$200,000 for getting the other to enter into some sort of agreement whereby no responsibility is involved, you would not allow that charge of \$200,000?

Mr. BONNER. No, sir; certainly not, if there is no service or value rendered.

Senator GLENN. There may be some service, or claim of service, but here are the facts: Here is one organization controlling a lot of subsidiaries, and they get one of their subsidiaries to contract with another and charge a couple of hundred thousand dollars, and they get another subsidiary to guarantee some bonds of one of their companies; you have had enough experience to know generally the nature of such charges, have you not?

Mr. BONNER. We have seen a lot of them, and sometimes the contention of one side are right and sometimes the contentions of the other side are right.

Mr. DILL. I also have here the opinion of the Attorney General on the New River case in Virginia, which I think should go into the RECORD at this point for the reason that this was the attempt on the part of Mr. Bonner to break down the power act. I say "on the part of Mr. Bonner" because Mr. Bonner manipulated the situation so that the President asked the Attorney General for an opinion of this subject instead of first securing the opinion of his own solicitor, Mr. Russell, or Mr. Lawson; and in order to get the kind of opinion that was desired they did not state the facts as they were. Mr. Mitchell's opinion, therefore, is based on one set of facts, while Mr. Lawson's opinion, which was later filed, based on the real facts, shows that that opinion could not really be applied to this case.

I mention these things, and I want them in the RECORD, because they show so clearly how a man on the inside of this organization, with the viewpoint and of the type of Mr. Bonner, can bore under and continually undermine the water power act. If this New River opinion were to stand and were to be accepted and acted upon by the commission in connection with all applications where possible, it would almost destroy the efficiency of the water power act. Therefore I ask to put into the RECORD at this point the opinion of the Attorney General and also the opinion of Mr. Lawson, the assistant solicitor.

The PRESIDING OFFICER. Without objection, it is so ordered.

The matter referred to is as follows:

DEPARTMENT OF JUSTICE,
Washington, September 22, 1930.

SIR: In response to your letter of July 31, 1930, requesting my opinion on certain questions regarding the issuance of a license under section 23 of the Federal water power act (41 Stat. 1075; 16 U. S. C., ch. 12, sec. 817) contained in a letter addressed to me by Hon. Patrick J. Hurley, Secretary of War, as acting chairman of the Federal Power Commission, under date of July 21, 1930, I have the honor to advise you as follows:

The questions submitted arise in connection with the application of the Appalachian Electric Power Co. for a license for a projected water-power development on New River, a nonnavigable stream. The Power Co. has requested the commission to issue a license containing only such conditions as the commission shall deem reasonable and appropriate for the protection of navigation on the Kanawha River, a navigable stream to which the New River is tributary, and has declined to accept a license tendered by the commission containing all of the conditions, provisions, and requirements specified in the Federal water power act of June 10, 1920. (41 Stat. 1063, ch. 285.) This request and declination of the Appalachian Electric Power Co. are contained in its letter of March 1, 1928, directed to the members of the commission and published in the Eighth Annual Report of the Federal Power Commission, at pages 143 to 147.

The questions submitted are as follows:

1. The applicant having agreed to accept the conditions relating to the release of water from the project, may the commission deny a license and thereby deny to the applicant the use of his property until he accepts the application to his project on a nonnavigable stream of all the provisions of the act?

2. Is the commission authorized or required, by section 23 or any other section of the Federal water power act, to write into the license for this project on private property and on a nonnavigable tributary of a navigable waterway, any provisions other than those necessary to insure such release of water therefrom as will maintain unimpaired the navigable capacity of the navigable waterway below, viz, the Kanawha River, or, otherwise stated, may all conditions imposed on licenses (sic) on navigable streams, including the recapture clause, be inferred (sic) under the facts in this case?

The facts of the case as recited in the commission's letter of July 21, 1930, are as follows:

The Kanawha River is a navigable stream entirely within the State of West Virginia. It is formed by the junction of the New and the Gauley Rivers, a short distance above Kanawha Falls, flows thence about 97 miles in a generally northwesterly direction and empties into the Ohio River at Point Pleasant, W. Va. It is navigable for 90 miles above its mouth, a 6-foot navigable depth being maintained by means of eight locks with movable dams and two locks with fixed dams. New River, upon which the proposed development of the Appalachian Electric Power Co. is located, is neither navigated nor navigable in fact. On June 26, 1925, the New River Development Co. submitted to the Federal Power Commission a declaration of intention covering the project in question, to be located near Radford, in Pulaski County, Va., about 155 miles above the head of navigation on the Kanawha River. The United States owns no lands or other property in the vicinity of the project. None of the proposed works is in navigable waters and none can in itself offer physical obstruction to navigation. Only by the operation of the works in impounding and releasing water, and thus creating an uneven stream flow, can any effect upon the navigability of the Kanawha River be produced. Under the date of September 2, 1926, Appalachian Electric Power Co., as successor in interest to New River Development Co., submitted its application for license under section 23 of the Federal water power act. The commission thereafter, on June 1, 1927, made the following decision with respect to this application:

"The commission having caused investigation of such proposed construction to be made and it appearing from such investigation and from reports submitted thereon that said project, unless operated in the interests of interstate or foreign commerce in accordance with the requirements of said act, would have an adverse effect on such interests, but if operated in accordance with such requirements would materially benefit such commerce, thereupon found that said river and the part thereof involved in said declaration is not 'navigable waters' within the definition thereof in said act, but that the interests of interstate or foreign commerce would be affected by such proposed construction." (Seventh Annual Report of the Federal Power Commission, 1927, pp. 113-114.)

In my opinion of July 1, 1930, with reference to an application for license for a power project on the Cumberland River in Kentucky, I had occasion to advise you in regard to the application of section 23 of the Federal water power act to a project for the development of water power on the upper nonnavigable part of a stream which in its lower reaches was a highway of interstate commerce, and concluded that the commission had jurisdiction in that case to entertain the application of the Cumberland Hydroelectric Power Co. for a license to carry on its project on the Cumberland River. Similarly in this case I am constrained to conclude that in view of the findings of the commission above quoted the commission has power to entertain the application of the Appalachian Electric Power Co., and to issue a license for this project under the provisions of section 23 of the act. The commission having found that the interests of interstate and foreign commerce would be affected by the proposed construction, the Appa-

lachian Electric Power Co. is prohibited by the terms of section 23 of the Federal water power act from proceeding with the construction of its project "until it shall have applied for and shall have received a license under the provisions of this act."

Section 10 of the act provides that all licenses issued under the act, except minor part licenses authorized under paragraph (i) of section 10, shall be on certain specified conditions, and such other conditions not inconsistent with the provisions of the act as the commission may require. Many of the conditions specified in section 10 appear to have no effect in preventing impairment of or in developing the navigable capacity of the Kanawha River, which can only be affected by the manner in which the flow of the stream is controlled in connection with the operation of the projected water power. It is to such conditions that the applicant for a license objects. The only authority granted to the commission to dispense with these conditions specified in section 10 is found in subdivision (i) of section 10, which reads as follows:

"(i) In issuing licenses for a minor part only of a complete project, or for a complete project of not more than 100-horsepower capacity, the commission may, in its discretion, waive such conditions, provisions, and requirements of this act, except the license period of 50 years, as it may deem to be to the public interest to waive under the circumstances: *Provided*, That the provisions hereof shall not apply to lands within Indian reservations."

The question is therefore presented whether the commission may in this case issue a minor-part license, with such conditions as it shall deem necessary in the public interests.

The legislative history of this provision throws but little light upon its precise meaning. The genesis of the clause is found in a conference committee report on a bill pending in the Sixty-fifth Congress which failed of passage. (H. Rept. No. 1147, 65th Cong., 3d sess.; CONGRESSIONAL RECORD, vol. 57, p. 4635.) This report shows that the conference committee added to section 10, paragraph (h), which reads as follows:

"(h) That combinations, agreements, arrangements, or understandings, express or implied, to limit the output of electrical energy, to restrain trade, or to fix, maintain, or increase prices for electrical energy or service are hereby prohibited. In issuing licenses for a part only of a complete project, where the land of the United States required is to be used only for transmission lines, water conduits, or for storage reservoirs, or for a complete project of not more than 50-horsepower capacity, the commission may, in its discretion, waive such conditions, provisions, and requirements of this act as it may deem equitable in the circumstances."

The only comment upon this amendment found in the reports is a statement by the managers on the part of the House: "It is thought by your conferees that such discretion should be vested in the commission."

During the first session of the Sixty-sixth Congress, H. R. 3184 was introduced containing section 10 (h), as above quoted, from the bill which failed of passage in the previous Congress. Thereafter the Committee on Commerce of the Senate proposed an amendment to the bill by deleting the second sentence of paragraph (h), above quoted, and adding paragraph (i), in the following form:

"(i) In issuing licenses for a minor part only of a complete project, or for a complete project of not more than 200-horsepower capacity, the commission may, in its discretion, waive such conditions, provisions, and requirements of this act, except the license period of 50 years, as it may deem to be to the public interest to waive under the circumstances." (66th Cong., 1st sess.; S. Rept. No. 180, p. 15.)

There was no statement in this report regarding the purpose of the committee in proposing this amendment.

The bill passed the Senate with a proviso added to this clause reading: "*Provided*, That the provisions hereof shall not apply to lands within Indian reservations," and was then referred to a conference committee of both Houses. In conference section 10 (i) was amended to read in its present form. A statement by the managers on the part of the House appearing in the Fifty-ninth CONGRESSIONAL RECORD, part 6, page 6384, with reference to this clause, reads as follows:

"On amendments Nos. 42 and 43: These amendments strike from the House bill the provision authorizing the commission, in its discretion, to waive certain conditions, provisions, and requirements of the act in issuing licenses for a part only of a complete project, where the land of the United States required is to be used only for transmission lines, water conduits, or for storage reservoirs, or for a complete project of not more than 50-horsepower capacity. In lieu of the House provisions the Senate excepted from such waiver the license period of 50 years and increased the horsepower capacity to 200 horsepower. The House conferees agreed to the Senate substitute with an amendment reducing the horsepower capacity to 100. Under the House provision the commission could allow perpetual grants without conditions for transmission lines, water conduits, and storage reservoirs if the remainder of the project was on private land."

The bill containing section 10 (i), as thus agreed upon by the conferees, passed both Houses without debate on this paragraph.

The intent to broaden the application of the clause and thus to bring within the discretion of the commission the provisions of any license for a minor part of a complete project is entirely clear, but precisely what was meant by the clause "In issuing licenses for a minor part only of a complete project" is left obscure, and this clause requires interpretation in the light of the powers which Congress intended to exercise and the purposes which it intended to accomplish.

Upon the facts stated by the commission in this case the United States has no power to prevent the construction of the proposed project on the New River unless its operation will tend to impair the navigability of the Kanawha River by changing the normal and regular flow of the stream; and the only interest which the United States has to protect, and for which it may be justified in issuing a license, is a very minor part of the complete project, viz, the manner in which the flow of the stream below the dam is affected by the operation of the water power. I am advised by a representative of the commission that under a license providing merely for proper control of the retention and release of water this project will tend to improve the navigability of the Kanawha River. Under these circumstances every purpose within the power of Congress may be accomplished by the issuance of a minor-part license under paragraph (i) of section 10. Accordingly, I am of the opinion that the most reasonable construction of this statute is that paragraph (i) of section 10 was intended to have application in such a case provided the interests of the United States may be fully protected by the issuance of a license to control the flow of the stream and/or to use physical instrumentalities which may be constructed for this purpose, the conditions of such license to be fixed by the commission in its discretion under section 10 (i) of the act.

This interpretation appears necessary in order to avoid serious questions regarding the constitutionality of the act which might be presented if section 10 (i) should be interpreted so as to have no application to projects constructed in or on nonnavigable streams, which only remotely and indirectly affect the navigability of waters in the lower reaches of streams to which they are tributaries. If paragraph (i) of section 10 is not applicable in such cases, the commission would in no such case be authorized to waive any of the conditions specified in section 10, because section 23 prohibits any such construction, once the commission finds that the interests of interstate or foreign commerce will be affected, until a license is issued under the provisions of the act. To hold that the commission has full authority under this section to exercise its discretion in granting a minor-part license in this case leads to a reasonable construction of the statute and a full accomplishment of its legislative purpose.

This interpretation of paragraph (i) of section 10 finds some support in the administrative construction of the act adopted by the commission on May 23, 1925, in its consideration of several applications (project No. 15) of Hydraulic Race Co. and other corporations, reported in the Fifth Annual Report of the Federal Power Commission, 1925, at pages 111 and 112.

In answering the questions proposed by the commission, I have accordingly to advise you that it is my opinion that the commission may, in its discretion, issue a minor-part license under paragraph (i) of section 10 for the construction and operation of the project here in question; that it is not required to insert in a license issued for this project any conditions (except the 50-year limitation upon the terms of the license) which, in its judgment, are not necessary or appropriate to fully utilize the waters of the New River in the protection or development of navigation of the Kanawha River.

Respectfully,

WILLIAM D. MITCHELL,
Attorney General.

The President.

OPINION BY J. F. LAWSON, ACTING CHIEF COUNSEL

APPALACHIAN ELECTRIC POWER CO.,
October 21, 1930.

Memorandum for executive secretary.

You have submitted to me the application for license filed by the Appalachian Electric Power Co. for a project on New River, near Radford, in the State of Virginia, and also, for approval, the draft of a license in minor form, which it is proposed to issue to said company. I find the application for license incomplete, and am unable to add my approval to the draft for license, as submitted. The following defects are discovered:

1. Evidence that applicant has complied with the laws of the State of Virginia, as required by section 9 (b) of the Federal water power act, is not satisfactory. It consists of a letter to applicant, dated June 16, 1930, signed by William Meade Fletcher, chairman of the State Corporation Commission, to the effect that "Your company has begun construction on this project and it has made expenditures within the time limit, in the amounts and for the purpose as set forth in section 12 of the Virginia water power act, and therefore your company has complied with the conditions of the water power act granting it exemption from the necessity of obtaining a license from this commission." This letter was apparently written, without investigation, in response to the notice contained in a letter to the corporation commission from the applicant under date of June 11, 1930, claiming exemption because of "having made the expenditures within the time limit, in the amounts and for the purposes and having begun construction, all as required by section 12 of the said act, granting it exemption from the necessity of obtaining a license from the commission." The corporation commission's letter, constituting at best a mere legal opinion, was based upon a misapprehension of the facts and an inadequate study of the State statutes.

The Virginia water power act was approved March 24, 1928, and went into effect June 19, 1928.

Section 12 is as follows:

"Any person, firm, association, or corporation, private or municipal, which on or before January 1, 1928, had constructed or ac-

quired, and on said date or within two years prior thereto was utilizing, a water-power development or developments, including the appurtenant pondage area or areas, located wholly or in part in the waters of the State, or any person, firm, association, or corporation, private or municipal, which since January 1, 1923, and prior to January 1, 1923, has expended a substantial sum, not less than \$10,000, to be increased to not less than \$50,000 at the time this act becomes effective in the investigation of, the survey of, the acquisition of lands and/or rights for, and/or the construction of any water-power development or developments located wholly or in part in the waters of the State shall, as shall also its lessees, successors, and assigns, have as to such development or developments, and any reconstruction or enlargement thereof, all the rights and powers conferred by this act, to the same extent as if such person, firm, association, or corporation were a licensee under this act, without filing any application and obtaining a license hereunder, but no such corporation shall exercise any of the additional powers of eminent domain conferred by this act and not existing under the law in effect January 1, 1923, unless such corporation shall obtain a license under this act with respect to the development affected; provided, that unless such person, firm, association, or corporation, private or municipal, begins construction within two years and completes the construction for which said survey has been made within five years after this act becomes effective, then as to said development the above provisions as to proceedings without a license and the provisions in this act as to priority shall not apply." * * *

To maintain exemption, if established by expenditure of \$50,000 for surveys, investigations, and purchase of lands, the company must in good faith have begun construction prior to June 19, 1930. Since the company filed declaration of intention with the Federal Power Commission, resulting in a finding that its construction would affect the interests of interstate and foreign commerce, the prohibition of section 23 of the Federal water power act became effective that the company "shall not proceed with such construction until it shall have applied for and shall have received a license under the provisions of this act." The company has not yet received a license. For the purpose of circumventing the State statute the company can not now be heard to say that it has violated the Federal statute.

I suggest, furthermore, an investigation into the company's work in the field and that proper steps be taken to penalize the company if its representation as to the beginning of construction be found true. If the fact be as stated in the letter from the company to the State corporation commission, civil and criminal actions will lie against the company, or its officials, under sections 23, 25, and 26 of the Federal water power act. And it would be a matter for serious consideration whether any company ought to receive a license, which at the beginning commits such an offense as would justify cancellation of a license.

Applicant, besides the letter from the State corporation commission, submits copy of a decision in the Circuit Court of Pulaski County (in the case of Appalachian Electric Power Co. v. George H. Miller et al.), in which it is held that the company has established its exemption from the need of a license from the corporation commission. When this cause was heard in the Pulaski County Circuit Court the time had not yet expired within which the company would begin construction. Furthermore, on the same reasoning by which the court concluded the company did not need a Federal license it would have been possible to conclude that a license from the State commission was not a prerequisite to condemnation proceedings even though there were no exemption.

Prior to the enactment of the water power law of 1923, applicant's project was subject to the requirements of sections 3576-3591 of the Code of 1919, providing procedure for obtaining leave from the circuit court of the county. Sections 3576 and 3577 seem to make it impossible for the company to obtain such consent in this case "without express authority of law." No express authority is shown. As these sections remained in force until the enactment of the water power law the company had no right of eminent domain under which it could erect this dam until the right was conferred by the water power law.

The term "waters of the State" as used in this act shall mean, (a) any stream or that portion of any stream in this State which prior to the passage of this act has been declared navigable by any unrevoked statute of this State, or (b) any stream or that portion of any stream in this State, the bed of which is owned by the Commonwealth, or (c) those parts of streams or other bodies of water in this State which either in their natural or improved condition, notwithstanding interruptions between the navigable parts of such streams or waters by falls, shallows, or rapids, compelling land carriage, are used or suitable for use for the transportation of persons or property in interstate or foreign commerce, including therein all such interrupting falls, shallows, or rapids, and also any stream or part thereof in this State other than those above mentioned in this subdivision (c) in which the construction of any dam or works as authorized by this act would affect the interests of interstate or foreign commerce. The control and regulation on the part of the State of the development of the waters of the State shall be paramount, and shall be exercised through the agency of the State corporation commission, provided, however, nothing contained in this act shall deprive any riparian owner of any right which said owner may have, under existing law, except by due and further process of law upon the exercise of eminent domain and upon the payment of just compensation of any such right.

From experience it is learned that it is not safe to rely upon unofficial assurances from State officials that the State laws have been complied with. The commission and its agents must examine the record of the action required, as supplied pursuant to the regulations of the commission, and must judge for itself whether the compliance is adequate.

Since the letter from the applicant to the State corporation commission questions the jurisdiction of that commission under the State water power law, I deem it necessary to go into the subject.

By the act of January 15, 1902 (Va. Stat. L., Shepherd, 317), it was provided:

"1. Whereas it hath been represented to this present general assembly that many persons have located, and lay claim in consequence of such location to the banks, shores, and beds of the rivers and creeks in the western parts of this Commonwealth, which were intended and ought to remain as a common to all the good people thereof:

"2. Be it therefore enacted, That no grant issued by the register of the land office for the same, either in consequence of any survey already made, or which may hereafter be made, shall be valid or effectual in law to pass any estate or interest therein."

The codified milldam act of March 2, 1819 (ch. 235, p. 225, vol. 2, Va. Rev. C. 1819), provided that any person owning land on one or both sides of a stream "the bed whereof may be in the Commonwealth" shall apply to the court of the county, which has discretion, on consideration of all injuries and circumstances ("if on such inquest, or on other evidence it shall appear to the court that the mansion house of any proprietor, or the offices, curtilage" garden, or orchards will not be overflowed), to grant or refuse leave. The dam must be built within three years after the date of the order of court.

It is further provided that "if the general assembly hath enacted or shall enact any law for opening, improving, or extending the navigation of any watercourse either by granting a charter for incorporating any company for that purpose or otherwise, it shall not be lawful, so long as such act shall be in force, for any court to grant leave to any person or persons whatsoever to erect any dam or other obstruction" without the consent of the company, and leave so granted may be upon such terms and conditions as may be agreed upon. Another section reserves the right to make a lock without compensation. The Statutes of Virginia, found in the Code of 1919, governing the right to construct such a dam as here proposed are as follows:

"Sec. 3576. Rights of navigation preserved: Whatever power is reserved to the general assembly by any act heretofore passed, to abate or remove any dam or other works in a watercourse, or improve its navigation, shall continue in full force. And in no case shall the right of the State, or of any company incorporated for opening, improving, or extending the navigation of any watercourse, to preference in the use of the water flowing therein for the purposes of such navigation, be affected by any order of court, which, since the 1st day of April, 1816, has been made, or hereafter may be made, granting leave to any person to erect a dam or other obstruction across or in such watercourse."

"Sec. 3577. Limitation on power of courts to grant leave to erect dams: Where a watercourse is navigable, or by law declared a public highway, no court shall grant leave to any person to erect in that part of it any dam which will obstruct ordinary navigation or the passage of fish. And where any law has been or shall be enacted, for opening, improving, or extending the navigation of a watercourse, no court shall, while such law is in force, grant leave to any person to erect any dam or other obstruction across, or in such watercourse, which will in any way interfere with the navigation thereof, without the consent of the company incorporated to open, improve, or extend such navigation, or express authority of law. Any such dam shall, notwithstanding it may be built under such leave, be deemed a nuisance, and may be abated as such, or such company or the State may make a lock or locks in such dam for the passage of vessels and boats without being required to make any compensation therefor."

"Sec. 3582. Application for leave to build or raise dam across or in watercourse, or cut canal, etc.: A person having upon lands owned by him on a watercourse, or proposing to build on such lands a water mill, or other machine, manufactory, or engine, useful to the public, and desiring leave to erect a dam across, or in such watercourse (whether he own the lands on either side of the watercourse at the point where such dam is to be erected or not), or to cut or enlarge a canal through lands above or below, or to raise a dam which may have been erected under an order of court, or the owner of any such water mill, machine, manufactory, or engine, and desiring leave to construct a work on or through the lands of another for the purpose of confining the watercourse within its customary channel or restoring it thereto where it has been diverted therefrom not more than three years by floods or other natural causes may apply for such leave to the circuit court of the county wherein such mill, machine, manufactory, or engine stands or is proposed to be built."

"Sec. 3588. When court to refuse or grant leave; when granted, what terms to impose: If, on the report or on other evidence, it appears to the court that by granting such leave the mansion house of any person other than the applicant himself, or the out-houses, yard, garden, or orchards thereto belonging will be overflowed or taken, or that the health of the neighbors will be annoyed, the leave shall not be granted. But if it shall not so appear the court shall then grant or refuse the leave as may seem to it proper. If it be granted, the court shall lay the applicant

under such terms and conditions as shall seem to it right. It shall, in particular, provide that ordinary navigation and the passage of fish shall not be obstructed, nor the convenient crossing of the watercourse impeded."

"SEC. 4747. Dams, etc., which obstruct navigation or passage of fish prohibited; punishment therefor: Any dam or other thing in a watercourse which obstructs navigation or the passage of fish shall be deemed a nuisance unless it be to work a mill, manufactory, or other machine or engine useful to the public and is allowed by law or order of court. And though a dam may have been so allowed in a watercourse before the 1st day of January, 1787, yet if it cause obstruction it shall not be rebuilt, if destroyed, until leave for that purpose has been obtained under chapter 140. For every 24 hours that a dam or other thing may remain in a watercourse in violation of this section the person causing or permitting such violation shall forfeit \$2, whereof the informer shall have one-half. This section shall not apply to milldams across rivers, creeks, or branches within the counties of Floyd, Carroll, and Grayson."

There is no express authority of law for construction of this project, unless it is found in the State water power law of 1928. The applicant shows no compliance with the general laws. The decree of the court in Appalachian Electric Power Co. against Miller, in the circuit court of Pulaski County, shows that the proceedings in condemnation were not in pursuance of the above-quoted statutes.

In the special legislation of the State dealing with this stream it was first called Kanawha or New River. (Act of October, 1777, creating Greenbrier and Montgomery Counties; act January 13, 1806, Shepherd's Stat. L. 1803-1806, ch. 54, p. 245, establishing ferries over Great Kanawha or New River in Greenbrier County.)

A list of these special acts follows:

The acts of 1811-12 (p. 195) provides for commissioners to view New River for improvement.

The act of February 5, 1816 (ch. 228, p. 201, Rev. Code of 1819), creates a board of public works and an internal improvement fund to promote navigation and public highways. With a view to connecting the waters of the James and Kanawha by that route, the commissioners in 1819 caused a survey of New River to be made between the mouth of Sinking Creek and Greenbrier River. Moore and Briggs, who made the survey, said in their report:

"It is truly a noble river. Notwithstanding it was represented to us as being remarkably low, yet it afforded (July, 1819) a superabundance of water for every purpose of internal navigation. The fall at that part of the river, considering the mountainous country it passes through, is comparatively moderate. The principal falls are the Bull Falls, McDaniel's, Anderson's, Wiley's, Neilley's, and Peter's Mountain Falls—none of which have been improved in the least degree, yet we ascended them all with our boat, though in two or three instances with considerable difficulty, after taking out our baggage, stores, etc."

By act of February 24, 1823 (acts 1822-23, p. 50), the assembly provided for a canal and a road from upper navigation on the James to the upper navigation on the Kanawha, with power in the commissioner to erect dams and reservoirs for feeders for the canal.

The act of March 8, 1824 (acts 1823-24, p. 12), provided for further surveys for the canal route.

An act of January 24, 1827 (acts 1826-27, p. 140), ordered surveys for a canal between the Roanoke and New River.

An act passed March 19, 1838 (Laws 1838, p. 137), authorized a bridge across New River on Prices Turnpike to Cumberland Gap, reserving the right "to improve the navigation of said river in any manner that may be deemed advisable."

March 16, 1850 (acts 1849-50, p. 61), the New River Manufacturing Co. was incorporated with "right to construct a dam across New River (in Pulaski County) . . . not exceeding 8 feet in height, subject to the provisions of chapters 62 and 63 of the Code of Virginia aforesaid, and subject to any future legislation of the general assembly." Chapter 62 of Code of 1849 makes unlawful any dam obstructing navigation and provides for obtaining authority of the court of the county on condition that the dam be constructed in such manner as to improve navigation. Here was the forerunner of the Federal water power act.

The act of March 2, 1853 (Virginia Laws 1852-53, p. 63), appropriating money and making loan to the James River and Kanawha Co., and requiring the company to define "the action to be taken by such company in the location of their water line from or near Covington or Clifton Forge to the Ohio River."

An act of March 5, 1856 (Virginia Laws 1855-56, p. 116), incorporated the New River Navigation Co. "for opening and improving the navigation of New River from the central depot of the Virginia & Tennessee Railroad to the Wythe lead mines in the county of Wythe."

The act of January 29, 1858 (Virginia Laws 1857-58, p. 133), incorporating the New River Navigation Co. gave authority for the improvement of New River with power "to do whatever may be necessary to effect the improvement" and with "the privilege of renting, selling, or using any water power or other advantage, and to condemn as much as two acres of land and materials, and access to them for depots, mills, lock houses, etc."

The act of December 18, 1861 (Laws Virginia 1861-62, p. 72), appropriated \$30,000 for adoption of such measures as may be necessary to remove the obstructions to the navigation of New River by bateaux and to improve the navigation of said stream by sluice, in such manner as will accommodate the transfer of military stores in bateaux from some point near the central depot

on the Virginia & Tennessee Railroad to the mouth of Greenbrier River. This act provided for extinguishing the rights theretofore given to the New River Navigation Co. and made of the improvement a State project.

The act of February 21, 1867 (acts of Virginia Assembly, 1866-67, ch. 222, p. 660), provides for incorporation of a company for improvement of navigation on New River from lead mines to the mouth of Greenbrier River.

The acts of March 23, 1872 (acts 1871-72, p. 388), and May 6, 1887 (acts 1887, p. 192), provide for incorporation of the New River Steamboat Co., with authority to improve navigation and collect tolls from lead mines to the West Virginia line.

The State of West Virginia having been carved out of Virginia territory, the Virginia Assembly (acts 1866-67, ch. 202, p. 642), provides for transfer to any corporation duly empowered under West Virginia law of the West Virginia portion of the water or land routes of the James River and Kanawha County, and the act of February 12, 1872 (acts 1871-72, p. 59), bespeaks the cooperation of the new State.

A joint resolution of the assembly passed December 19, 1872 (acts 1872-73, p. 13), prays the aid of Congress in construction of the James River-Kanawha Canal.

By act of May 27, 1887 (acts 1887, p. 409), the assembly granted to Henry C. Clark permission to mine in the bed of New River opposite Clark's lands, provided navigation be not injured.

February 3, 1888 (acts 1887-88, p. 99), the Radford Land & Improvement Co. was authorized to construct a dam near New River Depot, provided that it shall construct a lock to accommodate a boat 60 by 15 feet when required by the New River Steamboat Co.

The act of March 4, 1890 (acts 1889-90, p. 846), authorized Montgomery County to build a bridge across New River at Radford, and the New River Bridge Co. was authorized to construct a bridge near the same place in 1896. (Acts 1895-96, p. 886.) A large number of acts between 1800 and 1900 were passed to authorize and regulate ferries across the river.

This mass of legislation is evidence of the special treatment accorded New River by the State. It would require a large volume to contain the statutes of the State relating to navigation of other streams of lesser character, few of which by size or use were worthy of comparison with New River. I refer to some of these acts to show the policy of the State and to show the general type of navigation prevailing when power over that subject was extended to the Federal Government.

October, 1783 (Ch. XXV, Henning Stats. at Large, p. 341), the general assembly named trustees to clear James River and open same to navigation through South Mountain from lands of Nicholas Davies in Bedford County to mouth of Cow Pasture River.

May, 1783 (Ch. XIII, Henning Stats., p. 250), for clearing Roanoke River to head of Staunton and Dan Rivers, obstructions prohibited.

October, 1784 (Ch. VLIII, p. 510, Henning Stats.). An act for opening and extending navigation on Potomac from tidewater to highest practicable point on North Branch, forming company with power to cut canals, build locks, fix its tolls. River declared forever "navigable as public highway." The right to take tolls was made dependent upon the maintenance of a channel navigable in dry seasons "to boats drawing 1 foot of water."

Act of January 23, 1798 (Shepherd, ch. 35, p. 99), forming the Shenandoah Co. and providing for opening and extending navigation of Shenandoah River, and that "said river shall forever thereafter be esteemed and taken to be navigable as a public highway."

Act of January 18, 1802 (Shepherd, ch. 64, p. 356), authorizing Potomac Co. to make improvement of Shenandoah River up North Branch to mouth of Smiths Creek in Shenandoah County and South Branch to a place called Carthrae's, in Rockingham County, where the branch forks.

Act of January 12, 1798 (Shepherd, ch. 32, p. 97), to improve navigation on Staunton River from Bookers Ferry to mouth of Pig River.

Act January 7, 1800 (Shepherd, ch. 45, p. 233), to improve navigation of Staunton River as far as mouth of Linville Creek in Franklin County and Black Water River from Staunton River as far as the forge belonging to Messieurs Hill & Co.

Acts January 26, 1804 (3 Shepherd's Stats. at Large, 1803-1806, p. 110), and December 18, 1804 (ibid, 166), providing for navigation on "Holstein" River.

Acts 1812 (Code 1891, p. 563) and 1814 (Code 1819, p. 569) requiring owners of dams in Monongalia and certain other streams to construct locks therein.

Acts 1817 (Code 1819, p. 576) incorporating a company to connect by canals, the waters of the Roanoke with those which fall into Chowan River and with the Potomac and intermediate rivers.

Acts 1818 (Code 1819, p. 580), to improve navigation for Cow Pasture River.

Session acts, 1818: Chapter 37, for improving navigation of Slate River; chapter 40, improving Cow Pasture River; chapter 47, declaring Middle Fork of Holston River a highway up to Seven Mile Ford in Washington County; chapter 54, for surveying Clinch River.

Act March 9, 1827 (Laws 1826-27, p. 137), ordering surveys for locks and dams in James and Jackson Rivers.

Act February 26, 1833 (acts, 1833, p. 61), declaring Little Cacapehon River, from its mouth to Springfield Road to be "a public highway, free for navigation."

Act March 24, 1843 (Laws 1842-43, p. 65), authorizing navigation or improvement company to repair at expense of owner any dam interfering with navigation.

Acts April 30, 1874 (pp. 449, 450), declaring Clinch River and North Fork of Clinch River to be navigable.

By sections 2003 and 3576 of the Code of 1919 it is provided:

"Sec. 2003. All statutes heretofore enacted declaring certain streams and rivers, highways and providing for removing obstructions therefrom and from other streams, shall continue in force." (Acts 1904, p. 131, sec. 35.)

"Sec. 3576. Whatever power is reserved to the general assembly by any act heretofore passed, to abate or remove any dam or other works in a water course, or to improve its navigation, shall continue in full force."

The condition of New River is probably now better than that of James River above tidewater. Of the latter the State court says that this river has been considered navigable for too long a time for it now to be questioned.

Old Dominion Iron Co. v. C. & O. R. Co. (116 Va. 166, 81 S. E. 108).

The facts, on which the State legislation is based, are substantially the same as those determining navigability under the Federal law.

2. In my judgment, New River, at the point where the project is proposed, is a navigable waterway of the United States. I am convinced that the finding of the commission (June 1, 1927, Seventh Annual Report, p. 113) on the declaration of intention, that New River was not navigable, was inadvertently made and would not have been made, if the commission had not understood, as the law was then construed, that full jurisdiction and requirement to issue a major license existed under the provisions of section 23. It is my opinion that the facts should now be submitted to the commission with recommendation that the findings as to the character of New River in this region be reversed.

In a report by its engineers, Viele, Blackwell, and Buck, 49 Wall Street, New York City, signed by H. W. Buck, submitted in its brief filed with the commission by Curtis, Mallet-Prevost, Colt, and Mosle, October 26, 1925, it is said:

"The 155 miles of river bed between the dam and the head of navigation is exceptionally wide and flat. It consists of a series of slack-water pools averaging perhaps 2 miles in length each. Each pool is followed by a riffle of several hundred yards in length, followed by another pool, etc. The result is in effect a chain of small storage reservoirs. I should estimate the width of the river bed throughout its entire length below the proposed dam to average 1,000 feet."

Passing the obvious comment that its affidavits to support finding of innavigability declare the river to be mostly riffles, while the company's engineers, for the purpose of ironing out the power waves, show it to consist mostly of long pools, we note the characteristics of a large river of potential usefulness. Upon a survey ordered by Congress in 1872, Major Craighill reported (Chief of Engineers Report, 1st sess., 43d Cong., vol. 2, 1873-74):

"UNITED STATES ENGINEER'S OFFICE,
Baltimore, Md., December 20, 1872.

"The appropriation bill of June 10, 1872, for rivers and harbors, required that an examination or survey be made of New River from the mouth of the Greenbrier, in West Virginia, to the lead mines in Wythe County, Va.

"The field work was executed in August, 1872, by Mr. N. H. Hutton, assistant engineer. His preliminary report is inclosed herewith, as well as a report from Mr. C. R. Boyd, civil engineer attached to Mr. Hutton's party, to both of which attention is recommended.

"The country through which New River flows is represented as being very beautiful, fertile, and salubrious. Its mineral resources are extraordinary, its water-power admirable, and its excellence for farming and grazing is admitted by all who have seen it. Such a country deserves development, and it appears that attention was very early directed to it."

Referring to the report by Moore and Briggs in 1819, under the auspices of the Board of Public Works of the State of Virginia, with a view of connecting the waters of the James and Kanawha Rivers by that route, Major Craighill says:

"It is probable the difficulty encountered was due more to the rapidity of the current than to want of water. They had previously stated that draught of their boat to be 9 inches. They gave an estimate of the cost of good sluice navigation of 2 feet at all times for this portion of the river to be \$10,400. It must be remembered that this estimate was made more than 50 years ago, and should now be increased to \$30,000, to accomplish the same result on the part of the river (54 miles) between Sinking Creek and Greenbrier; and to \$100,000, including the portion from the lead mines to the Greenbrier, 128 miles, with the understanding that the improvements at Fosters Falls be restricted to a sluiceway.

"But little has been done in the way of improving the river since the time of Moore and Briggs, though an effort is said to have been made in that direction by the Confederate government during the late war. Mr. Hutton states that the keel-boats now used draw about 12 inches when two-thirds loaded. By the construction of side deflectors or dams of rock and brush, both of which materials abound, the volume of the water may be concentrated and the depth over the shoals increased from the present average of about 12 inches to about 2 feet, without too much increase of velocity of current. Some of the falls, which are almost always vertical and of an average height of 4 feet, could be greatly improved by blasting sluices through them, about 30 feet in width, and of an average length of 50 feet. It is to be observed that the falls have in many cases natural chutes and sluices through them, susceptible, also, of such improvement as we just indicated.

"What has been said above refers to keel-boat navigation, but the pressure for the improvement of this river is increased by the development of the railroads which intersect it and afford the means of rapid transport east and west for the commodities to be procured along and near the stream. There is a demand for steam navigation.

"Mr. Hutton estimates that to give a depth of water of 3 feet at all seasons would suffice for present needs, and would cost \$750,000, with only so much reduction of grade at the falls and rapids as would permit small stern-wheel steamers to ascend, which, with one or two barges in tow, and probably requiring at a few places that the ascent be made by hauling on ropes attached to fixed points above and to the drum of the steam engine of the boat. The improvement contemplated in the above estimate is of the same general character as that referred to above for the 2-foot navigation, except at Fosters Falls, where a lateral canal, if steam is used, seems to be required, at least over the first fall of 18 feet in one-half mile. This canal at a single point would consume in its construction about one-third of the sum mentioned above, \$750,000. It is probable that further study of the river and revision of the estimates may enable them to be reduced, at the same time demonstrating the propriety of concentrating the first efforts to improve certain parts of the river contiguous to existing lateral outlets. Should Congress not think proper to appropriate a large sum for New River at this time, it is to be observed that the judicious use of any small sum, even a few thousand dollars, would decidedly and at once ameliorate the navigation."

The report of S. T. Abert to Chief of Engineers, February 7, 1875 (1875 An. Rept., Chief of Engineers, pt. 2, p. 134), describes the shipments of iron and copper to and from the Ore Knob Mine in Ashe County, N. C., which was to be reached by improving the river to Mouth of Wilson, shipments beginning or ending at Baltimore.

The report of William Proctor Smith, civil engineer (1879 An. Rept., Chief of Engineers, pt. 1, p. 538) to the Chief of Engineers looks to the transportation of copper, iron, soapstone, and agricultural products from North Carolina to the railroad at the New River depot.

In 1879 (pt. 1, 1879, Rept. of Chief of Engineers, p. 532, 534) Capt. James W. Cuyler described the operation of improvement and, being ordered to take charge of lower river work, had "the property put in repair and finally all boated down to Hinton, W. Va., at the mouth of Greenbrier River, a distance of 84 miles," thenceforth to be the base of operations.

The interest both of the State and of the United States was directed, in the later years of activity, to secure a waterway to connect with a railroad in interstate commerce; the Government, in the period succeeding the Civil War, giving special attention to the development of traffic from North Carolina as well as from Virginia. It was quite as legitimate an activity of the Federal Government to promote unloading of the traffic into freight cars at New River depot as into the larger barges on the Kanawha and Ohio. Neither State nor Federal Government desisted until it was demonstrated that river transportation could not exist parallel with unrestrained rail routes; and that the lead and iron mines of Virginia could not profitably be worked in competition with the richer deposits of Kansas and Minnesota and the cheaper by-products of the farther West.

Upon the question of jurisdiction of such a body as Congress, some respect might be paid to its own acts in exercise of such jurisdiction. I find that Congress, acting upon recommendation of its agents, has assumed jurisdiction of New River in the following acts:

Act June 10, 1872 (17 Stat. 370) for survey of New River from mouth of Greenbrier River, in West Virginia, to lead mines in Wythe County, Va.

Act June 23, 1874 (18 Stat. pt. 3, 237), for survey, New River from lead mines to mouth of Wilson.

Act August 14, 1876 (19 Stat. 132), for improvement, New River, lead mines to Greenbrier River, \$15,000.

Act June 18, 1878 (20 Stat. 152), for improving New River, lead mines to Greenbrier River, \$15,000; survey New River, lead mines to Mouth of Wilson.

Act March 3, 1879 (20 Stat. 363), for improving New River, lead mines to Greenbrier River, \$12,000.

Act June 14, 1880 (21 Stat. 180), improving New River between Mouth of Wilson and mouth of Greenbrier River, \$24,000.

Act March 31, 1881 (21 Stat. 468), improving New River, lead mines to Greenbrier River, \$24,000.

Act August 2, 1882 (22 Stat. 191), improving New River, Mouth of Wilson to Greenbrier, \$12,000.

Act August 5, 1886 (24 Stat. 310), improving New River, lead mines to Wilsons Creek, \$13,000.

Act August 11, 1888 (25 Stat. 400), improving New River, W. Va.; continuing improvement Mouth of Wilson to mouth of Greenbrier River, balance from former appropriations.

Act June 4, 1900 (31 Stat. 264), permitting water-power dam across New River within 2 miles of mouth of Stevens Creek in Grayson County, Va., requiring fish ladders approved by United States fish commissioner.

Act June 13, 1902 (32 Stat. 331), discontinuing improvement New River, Va. and W. Va.; survey New River at confluence with Greenbrier.

Act February 18, 1911 (36 Stat. 921), authorizing dam in New River near Foster Falls, Va., subject to general dam act. (Lapsed without construction.)

Act February 18, 1911 (36 Stat. 922), authorizing dam across New River at Ivanhoe, Wythe County, Va., subject to general dam act. (Lapsed without construction.)

Act March 4, 1915 (38 Stat. 1915), authorizing surveys for reservoir sites and study of coordinated uses.

Act January 21, 1927 (44 Stat. 1008), authorizing bridge at Kanawha Falls, W. Va.

Act January 21, 1927 (44 Stat. 1020), survey and investigation of headwaters of the Mississippi, for storage reservoirs, and regulation of flow and for studies on the Kanawha.

Act May 15, 1928 (45 Stat. 538), urging early completion of headwater studies on Ohio and other tributaries of Mississippi.

The Chief of Engineers has construed the general acts cited above as including New River.

That Congress meant its action in improvement of navigation to be conclusive of its jurisdiction is proved by clause 2 of the definition of navigable waters. In the face of these repeated acts of jurisdiction, from 1872 to 1928, it would not seem proper for legal and administrative agents of Congress to say that Congress in every instance acted without jurisdiction and, thereupon, to renounce the jurisdiction expressly conferred. On page 5 of the copy of the Chief of Engineers' letter of December 29, 1925, to the executive secretary are found the following paragraphs:

"The district and division engineers have reported that there is no commerce and that the river is not now navigable in fact, but they assume that it is legally navigable for the reason that money has been expended on it for channel improvement by authority of Congress. It is well settled by judicial decisions that acts of Congress appropriating money for the improvement of a stream are not to be construed as declarations, express or implied, that the stream is actually navigable. Congress may authorize the improvement of a nonnavigable stream with a view to creating navigability, yet unless the improvement is accomplished the natural state of the stream is not changed. Whether or not it is navigable is still a question of fact unaffected by the consideration that money has been appropriated and expended in an effort to improve it.

"I, therefore, conclude that New River is not at the present time a navigable water of the United States within the meaning of the Constitution and laws of Congress including section 3 of the Federal power act."

It is apparent that General Taylor in the first paragraph was considering the inference to be drawn, whether by his office or the courts, from a mere appropriation act. In the Federal water power act we have an express declaration that the authorization of improvement shall give a legal status of navigability to any stream for the purpose of giving jurisdiction to the Federal Power Commission.

Recommendations for discontinuance of appropriations and failure to appropriate do not affect the status of the river. Such recommendations and decisions are based upon probable economic results from expenditures to be made for navigation alone. Recommendations and decisions might be different if taking into consideration contributions possible for incidental uses for water power or other purposes. The last act of Congress, only three years ago, proposes to study the aid to be had from such cooperation. It is noted that the division engineer's report, transmitted by the Chief of Engineers, February 10, 1930, notes the desirability of encouraging projects of this character because of their effect in improvement of navigation conditions upon the Ohio River. The act of March 1, 1917 (39 Stat. 948, sec. 3), requires a study of the uses which may be coordinated with the improvement of navigation. In his report of November 20, 1929, Major Ardery says:

"A complete survey and investigation of New River for the location and capacities of storage reservoirs and possible power developments was ordered in the rivers and harbors act of January 21, 1927, under House Document No. 308, Sixty-ninth Congress, first session. This survey has not progressed sufficiently to furnish new data. Under former examinations New River has been recognized by all authorities as having extensive power possibilities. The river, with its high run-off and steep gradients, possesses a wealth of water power. The fullest utilization of its waters will only result from a comprehensive plan which includes sufficient storage on the headwaters to impound the flood run-off for hold-over storage, and with auxiliary storage on the tributaries and the main stream below to complete the discharge regulation. From past reports it appears that this is feasible at present and for future development, provided it is taken in hand in time to define reservoir limits before new highway or railroad construction in the present channel, with the resultant increase in property values, makes river development uneconomical.

"This regulation of discharge will make run-of-river plants feasible and will result in the utilization of the maximum available head on the stream. The principal benefit to the Government will accrue in the decreased cost of prospective navigation on the Kanawha and Ohio Rivers. The resultant flood control will decrease damages to cities and industries along the streams below, which will be of increasing importance as time goes on."

The definition of navigable waters also includes "all such interrupting falls, shallows, or rapids, together with such other parts of streams as shall have been authorized by Congress for improvement by the United States or shall have been recommended to Congress for such improvement after investigation under its authority."

The reports of the Chief of Engineers from 1872 to 1890 contain repeated recommendations to Congress for improvement of New River from mouth of Wilson to Hinton, all after investigation under its authority. Some of these reports are noted above.

Later reports recommended discontinuance of the work of improvement. It was plain that the cost of improvement was greater than was justified by the economic results of the navigation likely to result. New River thereupon lapsed into the condition of many other navigable waters prior to the passage of the Federal water power act. It is one of the rivers designed to be improved under that act.

Congress has vested in the Chief of Engineers and the Secretary of War authority to enforce the provisions of the act of September 19, 1890 (26 Stat. 494), and act of March 3, 1899 (30 Stat. 1151); and to approve plans and issue permits under the general act for construction of dams (36 Stat. 593) and the general bridge act of March 23, 1906 (34 Stat. 84). Pursuant to his authority under the two earlier statutes, the Secretary of War, on April 4, 1912, addressed the following letter to Hon. E. W. Saunders, Member of Congress, relating to the activities of the Appalachian Power Co. in Virginia:

WAR DEPARTMENT,
Washington, April 4, 1912.

Hon. E. W. SAUNDERS,

House of Representatives.

DEAR SIR: Referring to your letter of the 26th ultimo, asking to be advised whether War Department records show that Doctor Mott or the Appalachian Power Co. ever secured permission to dam New River, Va., I beg to inform * * * as New River is an interstate stream, the authority of Congress must, under the law, be obtained for the construction of a dam therein, and plans therefor must receive the approval of the Chief of Engineers, United States Army, and the Secretary of War before any work of construction is begun. Such approval has not been obtained in either of the cases above referred to—Doctor Mott or the Appalachian Power Co.

Very respectfully,

ROBERT SHAW OLIVER,
Assistant Secretary of War.

Pursuant to the acts of Congress, the Secretary of War has issued the following permits:

July 28, 1926, highway bridge, Cotton Hills station, W. Va., 5 miles above mouth of New River; October 16, 1926, highway bridge at Stone Cliff, W. Va., 28 miles above mouth of New River; August 29, 1907, highway toll bridge, Hinton, W. Va., 66 miles above mouth of New River; February 27, 1899, dam at Kanawha Falls, near mouth of New River. Presumably he approved the plans for the two dams authorized by the acts of February 18, 1911 (36 Stat. 921, 922), under which rights lapsed for failure to construct.

Some of the structures placed across the river without authority have met with objections, though apparently no suit has been instituted to discontinue them. (See report on water-power dams, New River, November 23, 1912, and July 15, 1913, to Chief of Engineers (E. D. 67022/13).) The industrialist builds his dam across the river; the custodians of the navigation interest, State and National, do nothing when the navigator complains; and the river becomes nonnavigable because navigation does not develop.

Eighteen bridges have been constructed across New River between Gauley, W. Va., and Eggleston, Va., 125 miles above the mouth. While only three of these appear to be under permit, all have a sufficient clearance above mean low water so that little obstruction would be presented by them to the character of commerce which could develop on the river (p. 300, List of Bridges Over Navigable Waters), and all are subject to the power of the Chief of Engineers to require changes. (Monongahela Bridge Co. v. U. S., 216 U. S. 177.) These many instances constitute construction by the War Department of the acts of Congress governing its own authority and might be considered as having some weight upon the question of jurisdiction. It has no power to make a binding abandonment of control.

Economy Light & Power Co. v. United States (256 U. S. 113).

The jurisdiction of the Federal Power Commission over New River has been involved in the following cases:

Project No. 223, West Virginia, preliminary permit at Sandstone Falls.

Project No. 379 (here involved), West Virginia and Virginia, preliminary permit granted to West Virginia Power Co. for power development at the mouth of Bluestone River.

Project No. 542, application for preliminary permit on New and Reddies Rivers in North Carolina.

Project No. 575, Virginia and North Carolina, application for power development on New River in Virginia and Fisher River in North Carolina.

Declaration of intention (No. 86) by the New River Development Co., followed by application by Appalachian Electric Power Co. for a dam (project No. 739) near Radford.

Since it has heretofore been the policy of the Federal Power Commission to issue major licenses for the large reservoirs coming under its jurisdiction under section 23 of the act, it has not been material to determine whether or not a dam which affects the interests of interstate and foreign commerce is within the navigable section of the river. It was probably for this reason that the commission was not insistent upon the claim of navigability for New River at the point involved in application for project No. 739. At page 229 of the Digest of Decisions on Declarations of Intention the division engineer reports the following facts, gleaned from various authentic sources:

"In the report submitted by Maj. W. P. Craighill, covering a distance of 128 miles of the river, dated Baltimore, Md., December 17, 1872, observations and measurements during unusually low-water stages indicated a discharge at the dam of the Wythe

Union & Lead Co., in Wythe County, Va., of 2,000 cubic feet per second and 3,000 cubic feet per second at Siffords Falls, 65 miles downstream, which the report states would indicate that the stream affords abundant water at all seasons for any scheme of navigation improvement that might be adopted.

"At the close of the working season of 1882 there was a channel 50 feet wide and 2 feet deep from Hinton Landing to Wileys Shoals, a distance by river of 26½ miles; also a channel from New River Bridge to the head of Jones Ford, a distance of 21 miles as follows: 12 miles, 30 feet wide, 2½ feet deep; 2½ miles, 20 feet wide, 2½ feet deep; 7½ miles, 10 feet wide, 2½ feet deep. This channel was extended same year 8½ miles above the bridge.

"On page 5, House Document No. 1410, Sixty-second Congress, third session, the following statement appears: 'From Hinton to the vicinity of Glenlyn, a distance of 30 miles, a boat drawing 2 feet will have sufficient depth of water for navigation at practically all times,' and on page 6 of the same document, 'From Hinton to Glenlyn, * * * there is some commerce, consisting of lumber, staves, sand, gravel, and also some grain, hay, farm products, and miscellaneous merchandise.'

"Commerce on the New River during the calendar year 1882 was reported as more than 11,000 tons.

"The low-water flow of the Kanawha at its junction with the Ohio is estimated as little, if any, less than the flow of the Ohio at the same point.

"The river and harbor appropriation act of June 13, 1902, repealed the previous acts providing for prosecution of work of improvement of New River, and directed that unexpended funds be paid into the Treasury of the United States. Congress has asserted jurisdiction over the New River in the past by having expended moneys on this stream for channel improvement with the view to improving the entire stream for navigation.

"This river is one of the principal tributaries of the Kanawha River, which has been improved for about 90 miles by the construction of 10 locks. It is really the Kanawha River under another name and the flow if not properly regulated could have an adverse effect on navigation during low-water stages in the Kanawha River.

"The possible adverse effect is not such as to warrant refusal to allow the proposed construction to proceed if control is maintained by the United States.

"Proper regulation of the flow of the river would naturally be of benefit to navigation. The extent of this benefit has not been fully determined.

"From the above facts it is established that New River has been under Federal improvement for navigation, that navigation has actually existed, and that the river was physically capable of interstate navigation although very light draft. The fact that navigation does not exist at present is not understood to change the legal status of the stream. Congress has in the past signified its intention to assert jurisdiction of the New River by appropriating money for its improvement with a view to making the stream navigable, and it is not seen that the fact that the reversion to the Treasury of unexpended funds was later ordered alters its status. If free from any control by the United States it would be difficult to ascertain authoritatively that the proposed development would be in general accord with the most beneficial utilization of the water for navigation, water power, flood control, and other beneficial public uses, it is obvious that such utilization is essential to the best interests of commerce. Therefore, while the navigable capacity of the stream is limited, this office must report that no sufficient reason is seen why the Federal Power Commission should not exercise jurisdiction over the proposed project."

Here is shown an actual navigability and an actual use of this section of the river averaging several carloads a day for a single year.

In the report of Maj. H. M. Trippe, December 22, 1926, he says:

"The sources of New River lie in the Appalachian Mountains among the high ridges that form the divide between the Peedee and Santee Rivers, which drain eastward into the Atlantic Ocean, and the streams which drain westward through the Tennessee, Ohio, and Mississippi Rivers to the Gulf of Mexico. It may be said that the river rises in the central part of Watauga County, in the extreme northwest corner of North Carolina, at an elevation of about 3,700 feet. Thence it flows northeasterly into Virginia to a point a short distance below Radford, where it makes almost a 90° turn and flows northwesterly through a gap in the Allegheny Mountains into West Virginia. It joins the Gauley River a short distance above Kanawha Falls, forming the Kanawha River. The Kanawha, in turn, flows northwesterly into the Ohio at Point Pleasant, W. Va.

"The complete system of the New-Kanawha is 429 miles long and drains 800 square miles in North Carolina, 3,000 square miles in Virginia, and 8,400 square miles in West Virginia.

"The New River flows down a steep gradient from its source to the vicinity of Ivanhoe, Va. (mile 147 from source). From Ivanhoe to a point about 10 miles below Hinton, W. Va. (point at mile 280), the gradient is flatter. Through this reach the river bed is a series of pools connected by short rapids.

"At a point about 10 miles below Hinton the river enters a gorge, the channel being narrow and the gradient steep for about 50 miles. The river abruptly leaves the gorge and merges with the Gauley River to form the Kanawha River a short distance above Kanawha Falls (mile 334). The falls here are about 27 feet

high. From Kanawha Falls the gradient averages about 3 feet per mile for 7 miles and then is very flat to the mouth.

"The Kanawha is improved for slack water navigation from a point 7 miles below Kanawha Falls to its mouth at Point Pleasant, a distance of 89 miles. This improvement is maintained by two fixed dams (farthest upstream) and eight movable dams. The valley of the Kanawha abounds in a vast amount of natural wealth, and the river affords a valuable transportation outlet for these resources.

"The elevation of New River at the proposed development is 1,725 feet. The watershed above this point is largely timbered, the river flowing through sparsely settled, rugged mountain country. Being in the Appalachian region the basin is subject to storms from the Atlantic Ocean as well as from the Gulf of Mexico. Owing to this the valley is not immune to high water or floods in any month of the year.

"Work done by private parties in the development of the watershed has been the construction of the following water-power plants:

Location	Owner	Date operation began	Head feet	Type of dam	Horsepower	
					Maximum	Average
Fries, Va.	Washington Mills	1901	40	Fixed	2,800	1,300
Bylesby, Va.	Appalachian Power Co., No. 2 development	1912	52	Fixed with movable crest	24,000	14,840
Buck, Va.	Appalachian Power Co., No. 4 development	1912	41	do	12,000	13,380
Kanawha Falls, W. Va.	Electro Metallurgical Co.	1899	28	Fixed	6,000	5,000

¹ For years 1922 to 1924

"At Fries, Va., the operation of the plant is on a 10-hour basis, but by means of hourly storage the entire low-water discharge is used.

"The plants of the Appalachian Power Co. are installed for a capacity of 4,800 second-feet, which is maintained by 5.5 per cent of the time. They have hourly storage and are used as daily peak load carriers during most of the time.

"The Kanawha Falls plant is used in a metallurgical process which requires a continuous 24-hour load. A permit was issued February 27, 1899, by the Secretary of War for the dam on the crest of the falls.

"The plant at Fries was authorized by act of Congress approved June 4, 1900 (34 Stats. L. 264). However, the dam is probably an illegal structure since the plans were not presented to or approved by the War Department in accordance with section 8 of the act of March 3, 1899. (See par. 3, p. 30, S. Doc. No. 15, 63d Cong., 1st sess.)

"New River with its high run-off and steep gradient possesses a great wealth of water power. The development of this power is retarded on account of the proximity to the Appalachian coal fields and almost prohibited in some reaches because of railroads on the river bank. Due to these it is only under the most favorable conditions that a water-power development is feasible.

"No complete survey has been made to determine all the favorable locations of power sites. Those sites known from available data are as follows:

Table of dam sites on New River

Site	Distance from sources	Approximate head	Drainage area	Remarks
	Miles	Feet	Square miles	
(a) Central Power Co., No. 3, plan G-1, South Fork, New River	66.5	120	200	
(b) Central Power Co., No. 3, plan G-2, South Fork New River	86	220	325	
(c) Central Power Co., No. 6, plan G-2, North Fork New River	86	220	279	
(d) Central Power Co., No. 4, plan G-1	97	160	620	
(e) Central Power Co., No. 4, plan G-2	107	170	808	Lies in pool of (1).
(f) Central Power Co., No. 5, plan G-1	111	100	825	Do.
(g) Central Power Co., No. 5, plan G-2	119	80	1,010	Do.
(h) Appalachian Power Co., site A	124.5	50	900	Do.
(i) Oldtown Reservoir	129	180	1,140	
(j) Washington Mills	135.5	40	1,150	Existing and in operation.
(k) Appalachian Power Co., No. 1	140	60	1,200	
(l) Appalachian Power Co., No. 2	143	52	1,310	Do.
(m) Appalachian Power Co., No. 3	144.5	21	1,310	
(n) Appalachian Power Co., No. 4	145.5	40	1,310	Do.
(o) Ivanhoe furnace	149	20	1,500	
(p) Foster Falls	153	40	1,600	
(q) Appalachian Power Co., No. 5	183.5	50	2,400	Lies in pool of (r).
(r) Appalachian Power Co., No. 6	186	110	2,400	
(s) Ingles Falls	188.5			Conflicts with (r).
(t) Appalachian Power Co., No. 8	250.5	75	3,930	Lies in pool of (v).
(u) Appalachian Power Co., No. 9	263.5	42		Do.

Table of dam sites on New River—Continued

Site	Distance from sources	Approximate head	Drainage area	Remarks
	Miles	Feet	Square miles	
(v) Bluestone Reservoir.....	265.5	140	4,400	Project No. 379, preliminary permit expired Oct. 25, 1926.
(w) Brook Falls.....	276	22	6,140	
(x) Sandstone Falls.....	281	30		Project No. 223, preliminary permit expired Nov. 5, 1924.
(y) Slater.....	302	50		
(z) Nuttallburg.....	315	50		
(z ¹) Michigan.....	318	50		
(z ²) Hawks Nest.....	322	98	6,800	
(z ³) Gauley Junction.....	330	28		

"This office in its report on declaration of intention, July 23, 1925, for this project, stated in paragraph 6:

"It is the opinion of this office that the New River is a navigable stream as defined by the Federal power act and that the proposed water-power project of the New River Development Co. should be considered as coming under the jurisdiction of the Federal Power Commission."

"The division engineer under first indorsement, July 25, 1925, stated:

"The division engineer concurs in the opinion of the district engineer that the reach of New River under consideration comes under the jurisdiction of the Federal Water Power Commission. This opinion is based primarily upon the fact that this reach of river was recommended to Congress for improvement after investigation under its authority, though not actually improved."

"The Chief of Engineers subsequently in letter to the executive secretary, Federal Power Commission, August 20, 1925, stated:

"The fact that navigation does not exist at present is not understood to change the legal status of the stream. Congress has in the past signified its intention to assert jurisdiction of the New River by appropriating money for its improvement with a view to making the stream navigable, and it is not seen that the fact that the reversion to the Treasury of unexpended funds was later ordered alters its status."

"The Chief of Engineers later in letter to the executive secretary, December 29, 1925, stated:

"I, therefore, conclude that New River is not at the present time a navigable water of the United States within the meaning of the Constitution and laws of Congress including section 3 of the Federal power act."

"The Appalachian Electric Power Co. has several power sites along New River, and since they have acquired the properties of the Virginian Power Co., permittees for project No. 379, Virginia, West Virginia (v), in section 7 of this report, they will in all probability be the most extensive developers of the power resources of New River. In view of these facts the company is more interested in the best plan of development of the power resources of New River than would otherwise seem."

"The applicant proposes a draw-down in their reservoir of 10 feet. This provides a storage of 40,000 acre-feet, which is a small part of the contents of the reservoir. The maintenance of a head as high as possible is necessary for a high utilization of the resources. However, the wisdom in placing the intake of the lowest power penstock 10 feet below the normal pool surface is doubtful. It is therefore recommended that the applicant be required to place at least one of the power penstock intakes sufficiently low so that the reservoir may be drawn down considerably more in the event of a very long and extended drought, when it would be desirable to use more than the water stored in the top 10 feet of the pool."

"There is at present no storage project in New River above the proposed project. The licensee may at some future date benefit from the construction of a storage reservoir. The applicant proposes to install hydraulic and electrical machinery that will enable them to utilize upward of 96 per cent of the flow of New River at their plant. In the event that such a reservoir was constructed by other parties the principal benefits to the applicant would be those of a higher utilization of the annual flow and utilization in the low-water season of a larger percentage of the annual flow than could be made without such storage. The latter benefit would be difficult of determination owing to the fact that the Appalachian Electric Power Co. have a relatively high percentage of steam capacity and would likely figure a kilowatt-hour developed from storage water during low-water season of no greater value than a kilowatt-hour developed from the natural flow of the river in high-water season."

"The proposed project provides a storage of 40,000 acre-feet, which is the equivalent of 667 second-feet flowing for one month. The very irregular occurrence of the low-water season with its irregular amount of flow precludes any appreciable benefit from this amount of storage other than in a season of extremely low flow of considerable duration."

"The plant of the Electro-Metallurgical Co. at Kanawha Falls (about 150 miles downstream), might be benefited by the release

of storage from the applicant's pool. On the other hand, it might be damaged by the applicant's holding back water from the natural run of the stream. The Kanawha Falls plant is a legal structure but does not hold a Federal power license. Under such condition it is doubtful if they could be charged for benefits received from the applicant's project. This company has protested the granting of license to the applicant unless the applicant's plant be operated so as not to damage them. It is believed that the recommended provision of the license will minimize the possibility of such damage. In any case, the Electro-Metallurgical Co. has redress in the civil courts for any damage suffered."

"The project is desirable and justifiable in the public interest for the purpose of improving the New Kanawha River for the benefit of interstate commerce, to the extent that any increase of low-water flow will favorably affect navigation. The project is also justifiable to the extent that in creating a pool 19 miles long it renders this reach susceptible of navigation."

These excerpts from official reports show both an early use of the river and a prospective benefit to be obtained from its continued legal control. There is no such thing as loss of jurisdiction by operation of any statute of limitations or by laches. The river remains subject to application of the fundamental principle Congress sought to utilize in the Federal water power act."

The principle underlying that act was best stated by Senator Elihu Root, of New York, when the Connecticut dam bill was under consideration (vol. 49, CONGRESSIONAL RECORD, pt. 4, pp. 5053-5059):

"From the mouth to the source and in all contributory feeders a water system of navigation must be treated as a whole. * * *

"The question, I think, we ought to ask ourselves is, How shall we decide as between three possible courses of conduct? One is to do as we have, in general, done in the past, refrain from improving because it costs too much, costs more than the business to be developed would justify; or, second, shall we go on and improve these streams and tax the entire people of the country for the improvement? Or, third, shall we avail ourselves of this new discovery by which a stream can be made to improve itself, by which a stream can be made to pay the expense of fitting itself for navigation, so that this great work of internal improvement can go on? Which of the three shall we do?"

"In every transaction there are two motives. The seller has one and the buyer has another. The passenger has one and the railroad company or the steamboat owners have another. The Government, charged with improving navigation, finds that a corporation is willing to do what it can not conveniently or profitably do for itself to subserve its object. It has one object; the corporation has another. We would not consent to this if it were not a benefit to navigation. They would not ask the consent if it were not a benefit to their pocket. * * *

"Of course every candid mind familiar with the history of the growth and development of our country must realize that in the extravagance of our vast natural wealth the Government has given away franchises and property with a lavish hand, and that probably the time has come when it would be wise and reasonable for Congress, as trustee for the people, to exercise somewhat more care in conferring upon individuals or particular corporations large blocks of our natural wealth. The lavishness with which our natural wealth has been portioned out has applied equally to the States. * * *

"The first thing that was done, and, in the nature of things, the first thing that could be done toward accomplishing this object, was to put a stop—and we put a stop here in Congress and in our National Government—to the process as it applied to handing out valuable things that belonged to the people of the United States. In the nature of things, also, the complete stoppage of the process presently led to inconvenience, and people began to complain."

"The third step which must follow, if we do our duty and understand our business, is not to go back to the old plan of handing out public property to oblige this, that, and the other man because it will make activity and expenditure, but to evolve some reasonable method by which these great natural resources shall not be held for far-distant generations alone, but utilized in such a way that the public will get its fair benefit, and the individual will get only his fair benefit."

"* * * I am not afraid of being misjudged in that direction when I say, as I do, that the old rules of property, which I would not disturb on any account—property which is one of the bases of civilization, and which we must protect—do not by themselves alone lead to an altogether satisfactory conclusion on this subject."

"One reason why is that modern discovery and invention have produced a realization of the existence of wealth wholly unknown before. When this company was chartered by the State of Connecticut no one dreamed of any source of income for the company except from tolls. You see the charter treats of tolls and the regulation of tolls, how much they can charge and how they may be regulated."

"It appears that now in doing the very work that was contemplated by this company for the improvement of navigation out of which they expected to get a moderate profit by tolls they are creating wealth beyond the dreams of avarice. Nobody knew it when the people bought their land. Nobody knew it when they exercised their right of eminent domain and took land from the farmers there."

"All over the country there are vast reservoirs of wealth, the existence of which nobody knew when lands were settled under the homestead act, when lands were purchased and when lands

were granted; and while we must preserve the rights of the owners, yet so far as those rights are subject to lawful control, so far as those rights are subject to laws that existed when the titles were acquired, to laws under which the titles are held, so far we ought to see that by the application of those laws in lawful ways and without taking away anybody's right we give to the whole people of the United States such benefit from this great new work as they may lawfully have.

"I say, sir, that the truest policy and the highest respect for every object which government is designed to subserve dictate that when we exercise an undoubted legal power and impose a condition upon the use by this corporation of this property some slight part of the wealth produced shall be devoted to the improvement of the navigation of that stream for the common benefit of the people of the United States."

The act which finally passed, generally covering the subject of water power, recognized the propriety of applying the revenue which might be derived from any improvement to the construction of other navigation works, as well as headwater improvements from which the immediate project might derive a benefit. (Secs. 10 (f) 17.) Having got this legislation after great exertion, no reason now appears why all the virtue should be construed out of it.

Here is a river plainly within the definition supplied by the act. The Government is entitled, not only to require every project on this section of the river to be so designed and operated as to improve navigation but also to require all projects on the river to be so linked together in construction, operation, and financing as to be of benefit to each other. Proper interpretation of the definition in section 3 requires all projects on New River, benefiting from this construction work, to contribute equitably to its cost. To that end the license to this company should require an adequate accounting for the cost. The project is desirable and justified as an improvement of navigation and for its contribution to flood control.

3. Under the circumstances of this case, considering all the various phases of development of which the river is capable, it is my judgment that the interests of the United States are not of minor character and can not be adequately protected by issuing a minor license.

The requirements contained in the act and proposed under major licenses are germane to the privilege to be granted and may legitimately be made a part of the license.

Board of Public Utility Commissioners v. Ynchausti & Co. (251 U. S. 401).

Prior to the approval of the Federal water power act the Federal statute applying to New River was the act of March 3, 1899 (30 Stat. 1151, secs. 9 and 10). These sections superseded, in part, sections 7, 9, and 10 of the act of September 19, 1890 (26 Stat. 454), which was held to be within the authority of Congress.

United States v. Rio Grande Dam & Irrigation Co. (174 U. S. 690).

Every project in or affecting the capacity of navigable waters of the United States was put in at the risk of being stopped by the Government (*Greenleaf-Johnson L. Co. v. Garrison* (237 U. S. 251); *United States v. Rio Grande Dam & Irrigation Co.*, supra); or its operation controlled so as not to impair the interests of interstate or foreign commerce. The situation was not relieved by the authorization of the project under permit from the Secretary of War, since his permits were revocable whenever the interest of the United States might demand. *Chandler-Dunbar Co. v. United States* (229 U. S. 53).

In the special acts of Congress sometimes enacted to facilitate power development on these streams it was customary to reserve a right of repeal, but such right remained whether expressed or not. *Louisville Bridge Co. v. United States* (242 U. S. 409).

Owing to the uncertainty of the tenure there was little incentive to the investment of the large amounts necessary to power development, and the same character of permits being in force on the public lands, the hydroelectric industry had reached a stalemate. At this juncture the Federal water power act was passed, one of its main purposes being to afford such stability of title as would justify the expenditures necessary to development. Other provisions of the act, however, were inserted in protection of the public interest.

It was realized that conditions might change in a manner not to be foreseen and that at some future time it might be desirable, in the interest of commerce, to have the project out of the way. Hence there is provided a limitation of the license to a term of 50 years. The Government, moreover, in the promotion of the interests of commerce, is entitled to select the agencies with which it shall cooperate and is entitled to preserve that right of selection, not only at the beginning of the first license period but at the close thereof. Having authority to exclude any project in or affecting navigable waters, Congress could prescribe the conditions on which the project could be allowed.

United States v. Midwest Oil Co. (236 U. S. 459).

Chicago, M. & St. P. R. Co. v. United States (244 U. S. 351).

Southern Pacific Co. v. Olympian Dredging Co. (260 U. S. 205).

Fox River Paper Co. v. Railroad Commission (724 U. S. 651).

The provisions of the Federal water power act and of the license have relation to the terms on which the right to maintain the project may be extinguished at the end of 50 years. Congress could have limited the right to that term without, at the end thereof, making any compensation to the licensee. The project works might then be a nuisance subject to removal without compensation. (*Newport & C. Bridge Co. v. United States*, 15 Otto (105 U. S.) 470.) To encourage development Congress has been

more liberal. It has provided that the net investment of the licensee in the project shall be paid to the licensee, in the event that the United States wishes to destroy the project works or put them into the hands of some other agency, or to some other use, in conformity with such policy as it may wish to pursue after 50 years. But it did not wish to put itself in the position of having to pay any enhancement of the value due to changes in economic conditions or other causes. The accounting regulations have direct relation to the preservation of these rights of the United States and were primarily designed to afford security to the capital invested, without obligating the United States for any more than it should pay in equity and good policy. The ascertainment of net investment, however, is desirable, in the case of headwater reservoirs, in order that lower projects may be required to pay an equitable share in their cost and so the most comprehensive scheme of development be carried to a successful conclusion.

For a like reason there should be no reduction in the charges to be made against this project. It should bear its proper share in the cost of investigation and of final and complete development of the great stream system of which it is an important, if seemingly remote, part.

In view of the challenge to the constitutionality of the act, I think this is an appropriate place to point out the fact that water, flowing in a great river from State to State, or forming State boundaries in such manner as to be useful to a dozen States, is in itself a commodity in interstate commerce, so as to be an object of Federal concern and legislation quite as lawfully as migrating birds (*Missouri v. Holland*, 252 U. S. 416) or the pests against which Federal quarantine is established. (*Oregon-Washington R. & N. Co. v. State of Washington*, 270 U. S. 81.) This is an idea well worthy of the consideration of the courts.

The act in defining navigable waters does not specify the height or the length of the falls and shoals interrupting navigation which the act exhibits a purpose to take possession of in order to secure improvement of navigation. The authority to claim the entire flow of the river for this purpose is sustained by the case of *Chandler-Dunbar Co. v. United States* (229 U. S. 53). There does not, therefore, seem to be any justification for holding that this river is not under the jurisdiction of the United States, either because of the long gorge section between Gauley Bridge and Hinton or of the shorter interruptions between the sections improved at the expense of the United States. Neither is it proper to consider as evidence of unnavigability the allegation, contrary to the facts stated in early reports, that there is nothing at present in the surrounding country to be transported on a river channel. In *United States v. Holt* (State Bank, 270 U. S. 49) the Supreme Court said:

"Early visitors and settlers in that vicinity used the river and lake as a route of travel, employing the small boats of the period for the purpose. The country about had been part of the bed of the glacial Lake Agassiz and was still swampy, so that waterways were the only dependable routes for trade and travel. Mud River, after passing through the lake, connected at Thief River with a navigable route extending westward to the Red River of the North and thence northward into the British possessions. Merchants in the settlements at Liner and Gryla, which were several miles up Mud River from the lake, used the river and lake in sending for and bringing in their supplies. True, the navigation was limited, but this was because trade and travel in that vicinity were limited. In seasons of great drought there was difficulty in getting boats up the river and through the lake; but this was exceptional, the usual conditions being as just stated. Sand bars in some parts of the lake prevented boats from moving readily all over it, but the bars could be avoided by keeping the boats in the deeper parts or channels. Some years after the lake was meandered vegetation such as grows in water got a footing in the lake and gradually came to impede the movement of boats at the end of each growing season, but offered little interference at other times. Gasoline motor boats were used in surveying and marking the line of the intended ditch through the lake, and the ditch was excavated with floating dredges.

"Our conclusion is that the evidence requires a finding that the lake was navigable within the approved rule before stated."

In the case quoted from the court held a river navigable, not for the purpose of using it for navigation, but for the purpose of ascertaining that riparian rights did not extend into it. It is legitimate and therefore mandatory to ascertain the same fact as to New River, as a basis of jurisdiction by the Federal Power Commission, in order to preserve the public right and public interest. What that interest may be 50 years from now we can not tell. It does no injustice to anybody merely to preserve the public right for that length of time.

The right to develop power on a navigable stream is not a riparian right (*Groner v. Foster*, 94 Va. 650, 27 S. E. 492; *Scott v. Doughty*, 124 Va. 759, 97 S. E. 802); it is a franchise which, since the act of September 19, 1890 (26 Stat. 494), amended by the act of March 3, 1899 (30 Stat., 1151), must be obtained from the United States. To change the status of a stream from navigable waters to an unnavigable stream divests the public of rights of enormous value and vests them without compensation in riparian owners who before had no such rights. As these rights on public waters come into being, it is competent for Congress to attach conditions to them such as are found in the Federal water-power act. *Geer v. Connecticut* (161 U. S. 519).

Missouri v. Holland (252 U. S. 416).

If such rights are abandoned without conditions, it will be necessary to repurchase them at an enormous price if the Government

ever wants to regain its right of regulation for navigation or flood control. Something ought to have been learned from the experience of buying back for spillways the swamp lands the United States once gave away. Fifty years from now it may be highly desirable to operate the reservoirs on New River primarily for purposes of flood control on the Kanawha and Ohio Rivers. Public service companies in Virginia have many rates in excess of 10 cents per kilowatt-hour. The Appalachian Electric Power Co. has, within a few years, been able to double its book value of investment by skillful management and capitalization of prospective earnings. (Report Federal Trade Commission, S. Doc. 92, pt. 22, 70th Cong., 1st sess., pp. 188-193.) With regulation of its rates by the Virginia Corporation Commission and supervision of its investment accounts by the Federal Power Commission, the company might be able to amortize its investment in the proposed New River projects within the license periods, so that the Government, without an excessive outlay, could utilize them to a large extent in flood control. Do we hear some one say that this would be an exercise of Federal authority not granted by the Constitution? On what basis, then, are \$200,000,000 poured into the Jadwin plan on the Mississippi?

The authority of the Federal Power Commission was not to release navigable waters from Federal jurisdiction, even though fallen into disuse or of small economic importance for navigation compared with their value for other purposes. It was to preserve the Federal jurisdiction while making them available for all uses as the commission might best coordinate them. The method provided for this purpose was by issue of licenses, conditioned as provided in the act. Congress, in section 3, provided the definition of navigable waters. If the definition is broader than that found in some court decisions, I am yet unable to discover that the act, or any court decision, vests any authority in me, or the Chief of Engineers, or the Federal Power Commission, to disregard it or to hold it unconstitutional. The Chief of Engineers, quoting law cases in his report upon the facts, has not considered all the cases available, nor has he considered with sufficient care the language of the governing act of Congress, the function of which is to lay down the law to executives and courts. In *Economy Light & Power Co. v. United States* (256 U. S. 113) the court said:

"The district court found that there was no evidence of actual navigation within the memory of living men, and that there would be no present interference with navigation by the building of the proposed dam. The circuit court of appeals did not disturb this finding. (256 Fed. 792, 798, 168 C. C. A. 138.) But both courts found that in its natural state the river was navigable in fact, and that it was actually used for the purposes of navigation and trading in the customary way, and with the kinds of craft ordinarily in use for that purpose on rivers of the United States, from early fur-trading days (about 1675) down to the end of the first quarter of the nineteenth century. Details are given in the opinion of the circuit court of appeals and need not be repeated. Suffice it to say that there was a well-known route by water, called the Chicago-Des Plaines-Illinois route, running up the Chicago River from its mouth on Lake Michigan to a point on the west fork of the south branch; thence westerly by water or portage, according to the season, to Mud Lake, about 2 miles; thence to the Des Plaines near Riverside, 2 miles; thence down the Des Plaines to the confluence of that river with the Kankakee, where they form the Illinois River; thence down the Illinois to its junction with the Mississippi. During the period mentioned the fur trade was a leading branch of commerce in the western territory, and it was regularly conducted upon the Des Plaines River. Supplies in large quantity and variety, needed by the early settlers, also were transported over this route between Chicago and St. Louis and other points. Canoes and other boats of various kinds were employed, having light draft, but capable of carrying several tons each, and manned by crews of six or eight men. The route was navigated by the American Fur Co. regularly during a period of years down to about 1825, after which it was disused, because the trade had receded to interior portions of Illinois that could be reached more conveniently with horses. Later, changes occurred in the river, due to the drainage of a swamp in the region of the portage, the clearing away of forests, affecting the rainfall and the distribution of the run-off, and thus shortening the duration of the higher states of water; the construction (under State authority) of the Illinois and Michigan Canal in 1848 and its deepening in 1866 to 1871, which diverted a part of the hill drainage toward the Chicago River; and the construction of the Sanitary and Ship Canal in 1892 to 1894.

"But, in spite of these changes, the circuit court of appeals finds (256 Fed. 804, 168 C. C. A. 138) that the Des Plaines River is a continuous stretch of water from Riverside (at the Chicago divide) to its mouth; and although there is a rapid, and in place shallow water, with boulders and obstructions, yet these things do not affect its navigable capacity; that the same is true of the upper part of the Illinois River, above the head of steamboat navigation; and that both streams are navigable and are within the act of 1899.

"Since about the year 1835 a number of dams have been built in the Des Plaines, without authority from the United States, and one or more of them still remain; besides, a considerable number of bridges of various kinds span the river. The fact, however, that artificial obstructions exist capable of being abated by due exercise of the public authority, does not prevent the stream from being regarded as navigable in law, if, supposing them to be abated, it be navigable in fact in its natural state. The authority of Con-

gress to prohibit added obstructions is not taken away by the fact that it has omitted to take action in previous cases.

"We concur in the opinion of the circuit court of appeals that a river having actual navigable capacity in its natural state and capable of carrying commerce among the State is within power of Congress to preserve for purposes of future transportation, even though it be not at present used for such commerce, and be incapable of such use according to present methods, either by reason of changed conditions or because of artificial obstructions. And we agree that the provisions of section 9 of the act of 1899 (30 Stat. 1151) apply to such a stream. The act in terms applies to 'any * * * navigable river or other navigable water of the United States'; and, without doing violence to its manifest purpose, we can not limit its prohibition to such navigable waters as were at the time of its passage, or now are, actually open for use. The Des Plaines River, after being of practical service as a highway of commerce for a century and a half, fell into disuse, partly through changes in the course of trade or methods of navigation or changes in its own condition, partly as the result of artificial obstructions. In consequence, it has been out of use for a hundred years; but a hundred years is a brief space in the life of a nation. Improvements in the methods of water transportation or increased cost in other methods of transportation may restore the usefulness of this stream; since it is a natural interstate waterway, it is within the power of Congress to improve it at the public expense; and it is not difficult to believe that many other streams are in like condition and require only the exertion of Federal control to make them again important avenues of commerce among the States. If they are to be abandoned it is for Congress, not the courts, so to declare. The policy of Congress is clearly evidenced in the act of 1899, and, in the present case at least, nothing remains but to give effect to it."

The purpose of the Des Plaines River case was not to restore navigation. It was to preserve the public rights in the river.

New River is a river with "a superabundance of water for every purpose of internal navigation." It is such a river as the States and Congress thought worthy of protection in the early days of national existence. It has had the intermittent attention of Congress and the continued exercise of Federal jurisdiction. It is now under study by Congress for the purpose of promoting the improvement of the largest system of internal navigation in the world. The division engineer (Lieut. Col. George R. Spaulding) in charge of much of that system reports, December 7, 1929, that he is impressed with the value of storage for the benefit of the low flow of the Ohio River. Major Ardery, at page 10 of his report on November 20, 1929, enumerates the large reservoir sites on New River. On the next page he points out the power sites on New River, the owners of which will be benefited by storage. Each of these owners should equitably be required to contribute to the cost of that storage and not cast the whole burden on lower landowners, seeking flood control, or on the United States, seeking navigation improvements. Through the Federal water power act they can be made to contribute. In these circumstances it would seem absurd to release control of the river, now legally held, in order to accommodate voracious power companies or other private interests. At a time when it is a toss-up whether water power is cheaper than steam and the coal is privately owned, while the water right still inheres in the public, it seems proper to tell those corporations to go to steam who are unwilling to cooperate in the full development of the stream system or to make and keep a fair bargain with the United States that the public right shall be restored at the end of 50 years upon payment of legitimate net investment of licensee together with all severance damages.

J. F. LAWSON,
Acting Chief Counsel.

Mr. DILL. When the question of the confirmation of Mr. Smith was originally before the Senate it was easy for Senators to be confused as to the issue. There can be no confusion about the issue now. His testimony before the Interstate Commerce Committee indicated that he was on the side of the power interests rather than on the side of the public; but his action in discharging Mr. Russell and Mr. King proves that the indication of that testimony is the real fact. Nor do I think it is a waste of time for the Senate to discuss this question so fully as it has done. The discussion here is making clear to the American people the great fight that is on in every section of the United States over the question of hydroelectric power.

Those who say that the people of this country are not interested in the power question need only look at the returns of the last election to find their answer. The power question is fast becoming the biggest general issue before the American people. I recognize that the depression to-day is acute. I recognize that to-day, with millions of our people, the greatest question is how they will get enough food and clothing to get through the winter. But this depression, as all depressions, will pass. The power issue is here, and it is here to stay until we place in the White

House a President who will insist that the great hydroelectric power sites of this country shall be used in the interest of the people and shall insist that the appointees whom he chooses shall use their power and authority in the interest of the public rather than to see that favors are granted to the great power interests of America by which they will exploit the people who use electricity.

In 1928 the results of the elections in the various States and the actions of the different legislatures enabled the power companies to say that the people were not greatly interested in this problem. They pointed out victory after victory that they had won. But you will not hear them boasting about the victories they won in 1930. In 1930, in every section of this Republic where the power question was a dominant issue, the power interests were overwhelmingly defeated. It was an issue in Nebraska, where that great champion of the people's cause, the senior Senator from Nebraska [Mr. NORRIS], was a candidate for reelection. As a member of the Campaign Investigating Committee I have had some opportunity to learn of the secret machinations, of the secret and devious methods used to bring about, first, the defeat of the senior Senator from Nebraska in the primaries, and later his defeat in the election, by money that came directly from power interests. But it was not only in the reelection of the senior Senator from Nebraska in that State, it was also in the referendum that occurred there that we found the real sentiment of the people.

I am told that in previous years the people of Nebraska had elected a legislature that was in favor of permitting the people of the different towns and counties of that State to organize municipal corporations to produce and to deliver electric power, but the measures were always defeated in the legislature. The power companies have the ability to do that when they are dealing with legislatures generally. So the people prepared an initiative petition to place on the ballot a bill that would give them their desired rights. As soon as the power companies saw what was being done, they prepared two other bills, almost identical in their titles and in their language, except for the fact that in the power company bills there were "jokers" that took away from the people the very rights it was intended that they should have by this legislation. The newspapers of Nebraska, I am told, with one exception only, refused to print any particular amount of discussion on the subject. Most of the politicians dodged the issue. Except for the senior Senator from Nebraska [Mr. NORRIS] and the junior Senator from Nebraska [Mr. HOWELL], no men of particular note took any part in the fight; but when the people went to the polls they understood the situation clearly enough that they picked out of these three measures the one that would give them the rights that they desired and passed it by a substantial majority.

In the far Northwest, where I live, we have been struggling for years to secure legislation that would enable the people in the country districts as well as the cities to form municipal power districts to produce and distribute electricity. That has been true both in Washington and in Oregon. We have elected legislature after legislature for that purpose, but always the power companies have succeeded in defeating the passage of such bills. So a year ago the Grange in the State of Washington and the Grange in the State of Oregon managed to prepare initiative measures and have them placed on the ballots, so that the people could vote directly on these proposals.

I do not know how much money the power companies spent in those States to influence those elections; but I do know that without newspaper support, except in one or two instances, the people saw through all of the misrepresentations, and they went to the polls and by a majority of 20,000 in the State of Washington and a majority of more than 30,000 in the State of Oregon they gave to themselves the right to form municipal corporations in their counties and cities by which they can produce and distribute hydroelectric power.

There were no personalities involved. There were no parties involved. It was the straight issue, and was a defi-

nite and specific warning to the power interests that operate in that part of the country that they must treat our people fairly in the service they give and the charges they make or the people will take into their own hands, through the municipal corporations they are now authorized to form, the production and the distribution of hydroelectric power.

Mr. SHORTRIDGE. Mr. President, will the Senator yield for a question merely?

Mr. DILL. I yield to the Senator.

Mr. SHORTRIDGE. Is there not an official body in the State of Washington which has the power to fix the rates to be charged by the companies furnishing hydroelectric power?

Mr. DILL. I am very glad the Senator asked that question. The State of Washington has a public service commission to fix the rates on hydroelectric power and other public-utility rates. Let me show why the people of the State of Washington disregarded that public service commission.

Mr. SHORTRIDGE. One more question, with the Senator's permission. Do the people elect the officers of the commission?

Mr. DILL. No; they are appointed by the governor. But it would not make much difference, I suppose. This is what happened. We found in this power fight that the opposition said: "If you allow the people to form these districts, they will take all of these private operating companies' plants off the tax roll, and the people will have their taxes raised because of this, and thus they will be terribly hurt."

What did we find? We found that the total taxes in the State of Washington of all the power companies for all purposes if taken off would increase our taxes 1 mill in a 74-mill tax rate on a 50 per cent valuation; 1 mill if we took all power properties off the tax rolls, and nobody proposed to do that.

That is not all. We found that these power companies, when they went to the courthouse to pay their taxes, paid taxes on a valuation of sixteen and a half million dollars in the State of Washington, but when they went to the public service commission they used a valuation of \$174,000,000 as a basis for making rates to the people who use electricity in that State. Sixteen and a half million when they go to the courthouse; one hundred and seventy-four million when they come to the homes of the people and to industries to sell power!

I recognize that that is not quite a fair statement, because sixteen and a half million is a 50 per cent valuation, so it is really \$33,000,000. But they were multiplying the valuation by five. And what is true of the State of Washington is true of the State of Oregon. I venture to say that it is true of the State of California to a greater or less degree. It is true all over this country that these great companies pay taxes on as nearly the real valuation as they can, but they collect rates upon the valuations they get by watering their stock and on good-will values and every imaginable thing they can plow into the valuation.

I said repeatedly during that campaign, and I say here and now, that I am not an advocate of municipal ownership or Government ownership and development as such; but I do say that Government ownership and municipal ownership are the only weapons which the people of this country have left to-day by which they can combat and meet the great power monopoly which is extending itself like an octopus into every corner of the Republic.

Mr. SHORTRIDGE. Mr. President, will the Senator permit me to ask another question, for information?

Mr. DILL. I yield.

Mr. SHORTRIDGE. Under the law of the Senator's great State, has or has not the commission the power to correct or prevent the wrong which the Senator points out?

Mr. DILL. Yes; and that is true in other States.

Mr. SHORTRIDGE. That, to my mind, is a very important point.

Mr. DILL. That is true not only in my State but in every other State. But let me remind the Senator what would happen if they attempted to do that. The power companies, just like the street-car companies and the gas companies, would go to the Federal courts, and the Federal courts, relying upon the decision in the Baltimore street-car case, in the Indianapolis water case, in the St. Louis gas case, would be compelled to allow them values upon good will and franchises granted them by governmental bodies of the States. The people can not find protection or relief through their commissions when their commissions are overridden by the Federal courts, up to the Supreme Court of the United States. I shall not review that argument, which was fought out on this floor so fully when the Hughes nomination was before us. But I remind the Senator that the only protection the people have is the ability to form municipal corporations and make the power themselves, and distribute it to themselves in competition with private companies.

In the State of Washington to-day, as in nearly every other State where there are municipal plants, the regulating body for the control of rates on electricity which really counts is not the public-service commission at all. It is the municipal plants which are scattered around, with which comparisons are made by the people who use electricity. In my State, the city of Tacoma sells power more cheaply than any other great city in the world. The city of Seattle sells power more cheaply than most other cities in the United States. And what do we find? Within the city limits of Seattle, where the Stone-Webster Co., which is a subsidiary of the great power monopoly of the East, is in competition, that company sells power at exactly the same rate as the city rate, but the moment we step across the street, outside of the city limits, we find the power rates go up to as high as they dare make them. They charge as much as the traffic will bear, but the fight we made last year has already caused a reduction of rates by private companies.

Mr. FLETCHER. Mr. President, will the Senator permit me to interrupt him?

Mr. DILL. I yield.

Mr. FLETCHER. May I inquire whether or not these power companies are making every effort to acquire the municipally owned plants and paying great prices for them?

Mr. DILL. Yes; they are trying to acquire them, but they are not having much success. What has actually happened in one or two towns in my own section of the country is that the towns are acquiring the private plants. A little town of about 15,000 population attempted to acquire the private plant in that town, and there was a bond election, where the question was the issuance of two or three hundred thousand dollars of bonds, and the power company said, "It will cost \$400,000 to buy our property." Somebody had an idea, and went over to the courthouse to see what the value of the property was on the tax rolls, and he found that they were paying taxes on a \$17,000 valuation. When that was made public the power company went to the courthouse and had the assessor to reassess them for \$175,000, and they paid back taxes in order to be able to go before the court with that valuation when the condemnation suit came up. A jury found the valuation to be \$216,000, I think it was. So that we are getting some little light on this subject.

I do not want to put this discussion on the basis of my own State merely. I was talking of my own State and of Oregon because of the referendum elections which occurred there, in communities which heretofore have been said to be against municipal ownership. They are not in favor of municipal ownership now as a state-wide policy. They have come to the conclusion that there is no other method by which they can protect themselves against this great monopoly holding a death strangle over them, their business, and the expenses of their daily lives, unless they have the power to set up power and distribution plants in competition. When they can set up such plants in competition, then the rates come down to somewhat near what the municipal plants are charging.

What is true of that section of America is true of every other section. Let no man think that this issue will down by simply saying it is not an issue. It is a growing issue. It is the coming issue in American politics, in my judgment, because we are on the threshold of the electric age. Electricity is fast becoming the manservant and the maid-servant of the American citizen, as we know; in fact, of the human family. What electricity will do in the generations which are ahead nobody can even predict.

We have thought of electricity in terms of little areas within a few miles of an electric plant. I had the privilege a few days ago of visiting the great plant of the General Electric Co. at Schenectady. I talked with the engineers and I saw the experiments with the new thyatron tube, by which it is proposed, if the experiments work out as they think they will, to transmit electricity, not a hundred or two hundred miles, as can now be done economically, but a thousand, two thousand, three thousand miles. When that development comes, electricity will be available to a nation at low rates, because from the falling rivers of the mountain areas long distances from our great centers of population electricity can actually be produced for a half a mill a kilowatt-hour. When we can transmit it unlimited distances, practically, by means of tubes, as these scientists believe we will be able to do, electricity will become, next to food, clothing, and shelter, the greatest necessity of human life.

That is why I say the power issue is the coming issue, it is a growing issue, and the American people will not be satisfied until they are certain that the man who sits as their President, with the power to administer the great water powers of this country, under the Government's control, is primarily dominated by the thought of public service, rather than private greed, in the handling of these water powers.

I started to say that, in addition to the far Northwest, the power question was an issue in Colorado. There one of the candidates was looked upon as a representative of Mr. Doherty, of the Cities Service Co., and Mr. Costigan, a Democrat, who ran against him, made that the issue, and swept the State, which is generally overwhelmingly Republican.

The power question was a big issue, at least a part of the issue, in the State of Montana, where the great senior Senator from that State was a candidate for reelection. We read in the newspapers about prohibition being the issue there. I happen to know that the power question was one of the big questions in the minds of the voters in that State and they gave him the biggest majority any man ever received in that State.

It was in part the issue in the State of New York, where Franklin Roosevelt won the greatest majority that has ever been given to any man on the Democratic ticket there. I think the only man who has carried upstate New York on the Democratic ticket for governor since the days of Grover Cleveland.

Down in Tennessee, where the President threw his influence behind Congressman REECE for the Republican nomination, a man who took the side of the private power interests in the Muscle Shoals fight, a man announced his candidacy as an independent Republican in the last two weeks before the election and defeated Representative REECE. Thus in every section of the United States this power issue is a growing issue, but it is not a partisan issue.

There are Republicans who are as determined that the Government officials and the Government generally shall use the power sites and the hydroelectric power possibilities under Government control for the people's interest as any Democrat can possibly be. There are Democrats who are as much tied up to the power interests as any power-interest man himself is. Make no mistake about that. I am glad to say that the great mass of the leaders of the Democratic Party to-day, whether we take its governors or its Senators or its Representatives, are on the side of the people in this great power fight, and the Democrats who are on the side of the power interests are in a minority and have no hope of ruling or controlling the party on that question.

The Republican organization is dominated by the great power interests. The Republican National Committee, through its officials, has been cooperating with the power interests all the time. A few days ago we had before us the treasurer of the Republican National Committee. He told of his opposition to the senior Senator from Nebraska [Mr. NORRIS]. He said he was not opposed to him as a politician, that he was opposed to him as a business man.

Of course as a business man he must have been thinking of power, because he has been in the power business. I asked what his interest was in the power business now. He said he had not had any connection with it for 16 years. I thought it rather strange because I had read in the newspapers of his connections. After he left the stand somebody called my attention to Who's Who in America, the edition for 1930-31. I looked up the record there of Joseph R. Nutt, and I found, among many other connections of a financial nature, "The Fort Worth Power & Light Co., chairman of the board." I do not know whether this book is wrong or whether he forgot it when he was before us, but I know that the record of Who's Who for 1928-29 contains the identical statement that he is chairman of the board of that company. Then I have here a newspaper clipping from the Washington Herald written by one of its correspondents, who says that the recent report to the Federal Trade Commission lists Mr. Nutt as a director of the Northern Ohio Power & Light Co. and a subsidiary company, the American Power & Light Co., this being a holding company of the Electric Bond & Share Co. I am not here to dispute Mr. Nutt, but I could not help calling attention to the evidence that was in my mind when I asked him those questions.

At any rate we know to-day that every time the power question has appeared for consideration by the administration, from the President down, we have found them almost universally on the side of the great power interests. The great power interests of the country are connected directly with the Radio Trust. They are all tied together. I need not at this time and place go into a discussion of how the Radio Trust, through its associated companies, has gotten hold of most of the desirable channels for radio broadcasting and is fast dominating the entire short-wave field of radio communication around the world.

At no time and on no occasion has the President or anyone directly under him raised a voice against the grasping policy of the great power octopus. Indeed, we have found that certain members of the Cabinet, particularly those on the Power Commission previous to the appointment of its new members, could not be induced to raise a hand or voice or to do anything against the great power interests.

The reason above all others why, in my judgment, the resolution of the Senator from Montana should be adopted is that we will find out whether the President of the United States will stand on certain constitutional powers that he may claim and refuse to send the name of Mr. Smith back here, and in that way play into the hands of the Power Trust, or whether he will send the name back and let the Senate pass on it again. The American people are entitled to know where their President stands on this issue.

On the Muscle Shoals question we know where the President stands. After having invested in that property millions and millions of dollars of the people's money, he wants that power sold to a private company at the switchboard, so the Alabama Power Co., one of the members of the Power Trust, will be able to sell it to the people at their own rate. I do not know what will happen if the agreement reached in conference on the Muscle Shoals bill ever goes to the House, but I think that is an added reason why it ought to pass. This will enable the American people to find out where Mr. Hoover stands when he is compelled to face the issue whether this Government's power is to be distributed to the people of the South at a rate at which it can be distributed without profiteering on anybody or whether he will veto the bill and refuse to sign such a measure. His friends say that he will veto it, and his friends ought to know.

He has never said or done anything publicly except to handicap those who are fighting to have this great power project serve the people of the South. The Government built that dam and the power-producing plant. The people's money is in it. It was built for war purposes in time of war and for the purpose of making fertilizer in time of peace, and whatever excess power there is ought to be distributed to the people of the South who are within reach of it rather than turned over to a private company to profiteer upon the people when sold at private rates.

If the Muscle Shoals bill is enacted into law as the conferees have now agreed upon it, it will become the finest regulator of private power company rates in the South that could possibly be created. All of the public service commissions, all of the various State officials, will not compare with it when it comes to giving the people electricity at decent rates on terms of good service.

The private companies will be compelled to bring their rates down to the level of the Government rates or admit they can not compete with a Government-owned plant. That is the reason for that 10-year fight against allowing the Government to sell power directly to the people at Muscle Shoals.

So I say it is important that the issue shall be put up to the President. If he refuses to send back Mr. Smith's name, that is his responsibility. If the Senate votes to reconsider and refuses to confirm Mr. Smith and he has any manhood in him, he will resign regardless of what the President may do about his papers. No man worthy of public office would try to hold an office in the face of a situation like that, hiding behind a mere technicality; but even if he stays in office under such conditions we will have broken his influence with the rest of the commission. Mr. Smith is an honest man, he is an able man, but he is by training, by experience, and most of all by his activities, on the side of the great power interests of the country. If there were two more men on that commission like him I should, indeed, tremble to think of what would happen to the power sites of our country during the time such a majority controlled the commission. I believe the fight which has been made here, I believe the public sentiment which has been aroused here, will tend to make the Power Commission realize that it must administer its duties in the interest of the people of the country, in harmony with the spirit of the statutes written 10 years ago by Congress after years and years of study and consideration before they were finally made into law. I believe thereby we have done a great service.

I hope, Mr. President, that the resolution will pass. I hope the President will send back Mr. Smith's name and that the Senate will refuse to confirm him and that we may have another man appointed to the commission who will be more fair to the interests of the people.

TRIBUTE TO "BUD" BROWN

As in legislative session,

Mr. CARAWAY. Mr. President, to-day there are being laid away in a little cemetery in the District of Columbia the earthly remains of Joshua A. Brown, employed for 26 years as superintendent of construction in the office of the Architect of the Capitol. "Bud" Brown, as he was known by his friends, died January 5, 1931. He supervised the construction of the Senate Office Building, the National Memorial Amphitheater at Arlington, and the Interior Department Building. His whole heart and all of his time and all of his abilities went into the service of his Government. He was a genius in his way, and, above all, he was the most humane man I ever knew.

One of the employees of the office, Mr. Horace C. Carlisle, I think, from Alabama, a man holding a very humble place, wrote three stanzas dedicated to the memory of this fellow servant in the Government service in the District of Columbia. I know that the Senate will pardon me while I have the clerk read them, so it will become a part of the Record and part of my remarks.

The PRESIDING OFFICER. Without objection, the clerk will read, as requested:

The Chief Clerk read as follows:

"BUD" BROWN PROMOTED

For a third of a century calmly "Bud" Brown—
As he was familiarly known
To his friends and the Capitol Architect's force,
Who loved him as they loved their own—
Went about doing good in his own quiet way,
Enjoying the highest respect
Of the most humble toiler in grimed overalls,
As well as the chief architect.

His whole being revolved around Capitol Hill—
Glad both to be spent and to spend,
To preserve and improve the grand building that lay—
As sweet as a time-tested friend—
On his great, loving, anxious American heart,
That beat with unspeakable pride
In a bosom becalmed by sublime gratitude,
On down to the day that he died.

With the passing of such an old landmark as this,
We sadly look up from the sod
In our search for a faith that asks nothing amiss,
In perfect accord with its God.
He had hoped to see finished the new Supreme Court
And then lay his loved trowel down;
But the Great Architect, for a far grander work,
Had need of His faithful "Bud" Brown.

—Horace C. Carlisle.

DROUGHT RELIEF—CONDITIONS IN ARKANSAS

As in legislative session,

Mr. CARAWAY. Mr. President, I am aware, even without a rule to enforce it, yet long observance that works well and which we all approve, provides that a Member of one body may say nothing about a Member of another body. I do not understand, however, that that applies to what a Member of either body may say outside of this legislative capacity and outside of the body of which he is a Member. But for fear it might, I merely want to talk about a gentleman whose name reminds us of something and has always been associated with exaggerations and stories that lack verification. This gentleman says that the trouble down in Arkansas is that we are all communists, that we have turned "red." He gave out an interview to that effect to the newspapers, and some one said to me, "Don't you think he has gone crazy on that subject?" I said, "Yes; but he is no worse off on that question than he is on all other subjects."

Another gentleman, who is a member of the body I am not naming and whose name I do not recall because if I did I should not call only to help somebody to remember him when he is gone, and without it he will probably not be remembered at all, insists that we are just staging a show to get something for nothing. At least, if we are, we will not get any more for our State than he has insisted on getting for his State in the use of limestone as a building material every time the Appropriations Committee has made appropriations for public buildings.

Another gentleman, whose name I shall not mention, says we are playing politics with human suffering. I am not talking about the President, because everybody has forgotten what he said. I am talking about a gentleman who is a member of a legislative body. Inasmuch as this rule holds good, Mr. President, whether in Congress or outside, we always attribute to other people motives to which we ourselves would be willing to surrender. Nobody charges another man with being guilty of doing a thing for a reason unless he himself concedes that that sort of reason would move him.

With these pleasant remarks about the three gentlemen whose names, as I have said, I do not care to mention because if I were to do so then I would have to explain to everybody who they are, and that is more consideration than the subject matter is entitled to receive, I leave that for the thoughtful attention of others.

But, Mr. President, legislation designed to relieve human misery having passed the Senate is denied the right even to have consideration of another body. I presume their intention is to kill the bill. Therefore, Mr. President, I am proposing an amendment, which will be subsequently offered to the deficiency appropriation bill when it comes over here, and we shall see if those at the other end of the Capitol will not add that to the graveyard of buried hopes.

FEDERAL POWER COMMISSION

The Senate being in executive session,

Mr. SHORTRIDGE. Mr. President, as I indicated yesterday I intended to do, I now purpose stating within a few moments my views in respect to the pending question before the Senate. I shall not indulge in personalities nor impute evil motives to any Member of this body or to any person, official or otherwise. I have taken an oath to support the Constitution of our country. I am mindful of that oath, and I assume, I know, that every Member of this body wishes to be faithful to that oath and to the Constitution.

The relevant facts by which we should be guided have been stated again and again; but I desire to impress them upon the minds of Members of this body, and upon the minds of others elsewhere who may read the proceedings of this day. I wish first to read from the Constitution of the United States. The President—

shall have power, by and with the advice and consent of the Senate, to make treaties, provided two-thirds of the Senators present concur; and he shall nominate, and, by and with the advice and consent of the Senate, shall appoint ambassadors, other public ministers and consuls, judges of the Supreme Court, and all other officers of the United States, whose appointments are not herein otherwise provided for, and which shall be established by law; but the Congress may by law vest the appointment of such inferior officers, as they think proper, in the President alone, in the courts of law, or in the heads of departments.

I wish to emphasize that under the quoted section 2 of Article II of the Constitution the President has power to nominate certain officers. I do not assume any superior knowledge of our language than others possess. The meaning of the word "nominate," I take it, is apprehended clearly by us all. The President may "nominate" certain officers, and, as the Constitution specifically provides, he may thereafter, by and with the advice and consent of the Senate, "appoint" the officers by him nominated.

Of course, no question is raised as to the President's power to nominate the officials named for the Federal Power Commission, but the question has arisen, and is now before us. When may the President appoint the persons by him theretofore nominated? The Constitution answers that question. It speaks and says that he may appoint them "by and with the advice and consent of the Senate." From the very nature of things the appointment must follow the nomination, and it must follow the giving of the advice and consent of this body.

Mr. President, in the case, so to term it, before us and in respect to the motion and the subject matter embraced within the motion under consideration, what are the facts—the officially declared, recorded facts—by which, I submit with deference and respect, we ought to be governed?

The President nominated these men. The Senate advised and consented that they be appointed. The President was officially notified that the Senate had so advised and consented. Thereupon the President appointed these men to the positions for which he had nominated them.

When did the President nominate these men? When did the Senate advise and consent to their appointment? When was the President notified of the action of the Senate? When were the appointments made?

I think it will be useful to us and interesting to those who shall perhaps hereafter read the proceedings of this body to have it clearly appear that Claude L. Draper, of Wyoming, was nominated by the President for the term expiring June 22, 1931. On December 3 the notice of his nomination reached the Senate, and was immediately referred to the Committee on Interstate Commerce. On December 15, 1930, that committee reported the nomination favorably, and on December 19, 1930, the Senate officially gave its "advice and consent" to the appointment of Mr. Draper. On the 20th day of December, 1930, the President was officially notified of the action of the Senate.

As to Mr. Marcel Garsaud, of Louisiana, on December 3 the nomination of that gentleman by the President for the term expiring June 22, 1932, reached the Senate. On the same day his nomination was referred to the Committee

on Interstate Commerce, which on December 15 reported it favorably to the Senate. On December 20, 1930, this body by official action gave its advice and consent to the appointment of Mr. Garsaud and the President was officially—and throughout I attach importance to the word "officially"—the President was officially notified.

As to Ralph B. Williamson, of the State of Washington, on December 3 the President notified us that he had nominated that gentleman for the term expiring June 22, 1933. The nomination was referred to the Committee on Interstate Commerce, and that committee reported the nomination favorably on the 15th of December. On the 19th of December this body officially gave its advice and consent to the appointment of that gentleman, and the President was officially notified.

On December 3, 1930, the President gave us notice of the nomination of Mr. Frank R. McNinch, of the State of North Carolina, for the term expiring June 22, 1934. The nomination was referred to the Committee on Interstate Commerce, and that committee on December 18 reported the nomination favorably. On December 20 the Senate officially gave its advice and consent to the appointment of that gentleman.

On December 3, 1930, the President notified us of the nomination of George Otis Smith, of the State of Maine, for the term expiring June 22, 1935, and on that day the nomination was referred to the committee named, which committee reported the nomination favorably on December 15. On December 20 this body officially gave its advice and consent to the appointment of that gentleman for the term mentioned, and the President was officially notified.

Mr. President, the official record bears out the statements I have made as to the occurrence of the events mentioned.

It appears, therefore, that the President nominated these gentlemen; that he advised the Senate of his action; that the Senate referred these nominations to one of its own committees, the Committee on Interstate Commerce; that the Committee on Interstate Commerce reported the names favorably; and that the Senate, after due consideration, gave officially its advice and consent to the appointment of these gentlemen.

But it has been suggested and argued with vigor, and, I think, with too much of feeling tending to be personal, that a rule of the Senate in respect to nominations had been ignored, overlooked, forgotten, or violated; and our attention has been called to that rule of the Senate in respect to the time of giving notice to the President of its action in the matter of giving or refusing its advice and consent in matters of nominations. I refer to Rule XXXVIII, and particularly subdivision 4 thereof.

For the record, I should add that after the facts occurring as I have stated them commissions were issued to these several gentlemen on these days, respectively: To Mr. Draper December 19, 1930; to Mr. Garsaud December 20, 1930; to Mr. Williamson December 19, 1930; to Mr. McNinch December 20, 1930; to Mr. Smith December 20, 1930; that these gentlemen, in the order named, appeared and were sworn in, inducted into the offices named, on these dates, respectively: Mr. Draper December 22, 1930; Mr. Garsaud December 22, 1930; Mr. Williamson December 31, 1930; Mr. McNinch December 27, 1930; and Mr. Smith December 22, 1930; and that they thereupon entered upon the offices named and performed official action.

It is claimed that the President had no power to make the appointments as of the dates he did make them because of the existence of the rule of the Senate referred to, which, it is argued, held up the appointments for the period of two days after action by the Senate giving its advice and consent to the making of the appointments. If I understand the argument, it is that two days must elapse after the action of the Senate before the President has the power to make the given appointment. That argument is drawn from the language of Rule XXXVIII of this body.

The RECORD will disclose, Mr. President—and I invite the attention of the Senator from Montana [Mr. WALSH]—that there was official notice given to the President of the action

of the Senate. No one can question that the notice was given by an officer of this body.

Ah, but it is argued—to quote from subdivision 4 of Rule XXXVIII—that—

Nominations confirmed or rejected by the Senate shall not be returned by the Secretary to the President until the expiration of the time limited for making a motion to reconsider the same, or while a motion to reconsider is pending, unless otherwise ordered by the Senate.

For the moment assuming the power of this body to make that rule, we see that the notice to go from this body to the President should not go until after the expiration of the period within which the right to make a motion to reconsider has expired, or whilst such motion is pending. Now, admit the legality, the constitutionality, of subdivision 4 of Rule XXXVIII, but we see, Mr. President, that within that period of time this body, officially acting through its officer, notwithstanding the rule, did give the President notice of the action of the Senate.

The Secretary of the Senate might have delayed giving this notice; but he did not delay; the notice was given, and within the period named.

Was the President bound under law to take official notice of the rule of the Senate, and after receiving official notice of the action of the Senate delay appointing the nominees until the expiration of the two days after their confirmation? First, was he required to take official notice of this rule and delay action?

Assuming for the sake of argument that he was required under law to take official notice of this rule, he had a right to assume or presume, and to act on the assumption or presumption, that by giving him official notice on the day named and within the 2-day period the Senate of the United States had waived the requirement of subdivision 4 of Rule XXXVIII.

I repeat, and would emphasize, that, assuming that the President was required to take official notice of this rule, and all of it, he having received official notice by this body within the 2-day period, he had a right to assume and to presume that the Senate had waived that requirement, namely, the 2-day delay provision of the rule in question. I submit to the learning of this body that in view of the record, and particularly in view of what I have immediately now stated—that within the 2-day period this body gave the President official notice of confirmation—this body is estopped from questioning the action of the President in making the appointments which are involved in this discussion.

It may be said that the Senate is not to be estopped—can not be estopped—by its own conduct; its own acts. I merely observe that a Senate can, in conscience and in law, be estopped by its own affirmative or its own negative conduct or acts. The Senate can not now question the power of the President to make the appointments he made. The Senate can not now take advantage of its own violation or ignoring or waiving of its own rule. The power of the President to make the appointments was not impaired or suspended by any premature notice given to him by the Senate itself, for, as I have said, the Senate waived its own rule.

Mr. President, I appreciate the importance of this matter from a legal standpoint. I appreciate also that economic questions which have been discussed but have no bearing on the decision we should reach. I content myself this day by thus briefly presenting my views as to the ultimate question which we are called upon to determine, which, perhaps, to repeat, is this: We find that the President of this Republic nominated certain gentlemen to certain offices; that the Senate received notice of these nominations; that the Senate took appropriate action by reference to its committee; that the committee performed its duty and reported the nominees favorably; that the Senate of the United States performed its duty in giving its advice and consent to the President that he might appoint these gentlemen to the offices in question.

We find that the President of the United States being so notified officially proceeded to exercise the power which the

Constitution lodges in him, and upon days named appointed these gentlemen to the offices named.

We find from the RECORD that commissions evidencing those appointments were duly issued by the President. We find, further, that upon the days named those gentlemen did a necessary act in order to be inducted into the offices in question; they subscribed to the oath required by law, and thereupon they entered into and are now in the occupancy of the offices in question.

I am not dealing here with supposititious cases; I am dealing with the resolution, the subject matter before us, and I have in mind the facts by which we should be guided and controlled.

I wish that my position may be understood. I am not tearing passion to tatters or to rags to split the ears of the galleries or the ears of anyone else, but I wish my position to be understood. It is, in essence, this, that in view of all the antecedent or preceding facts, the President of the United States—I am almost tempted to pause to pay him a loving tribute as a great American, a true patriot—legally exercised his constitutional power in the making of the appointments in question.

I feel somewhat embarrassed, because I am presently conscious of proceeding longer than I had intended; but yesterday or the day before I think I ventured to inquire of a Senator why we should go forward with this matter, why we should take up so much time, if our action would be futile, if it would be utterly without effect. I do not impute evil motive to anyone who has participated in this discussion, but with great respect I do suggest that much time has been consumed in matters utterly foreign and irrelevant to the question which we as Senators should consider, and without passion, without feeling, determine.

As to the futility of this motion, in view of the record, in view of existing facts and conditions, I have merely this to say: I can not believe, I do not for the moment, at any rate, believe, that this motion will prevail. Manifestly, I think it should not prevail, but if it should prevail, how futile. These gentlemen are in office, they are exercising their functions, there is nothing in the Constitution or the law which makes it mandatory upon the President to comply with this request if made. I am not advised as to whether he will or will not comply with it. I do not know. But I know that there is nothing mandatory in the law or in the Constitution which would compel him under his oath to comply with this request. And if he entertains the view which I entertain, without any disrespect to the Senate whatever he could decline to comply with this request.

Mr. President, I leave off by expressing my very sincere regret that personalities have been indulged in, criticisms have been made, evil motives imputed, and attacks made upon gentlemen who have not been given opportunity to defend themselves. I regret it; I deplore it. Never have I questioned the good motives or the character or the patriotic purpose of any Member of this body, and I would rather sink down here now and die than to condemn any man without giving him ample, full, opportunity to defend himself, explain his conduct, and, if it be so, exonerate himself from any imputation of evil intent or wrongful act.

Mr. GEORGE obtained the floor.

Mr. McNARY. Mr. President, will the Senator from Georgia yield that I may propose a unanimous-consent agreement?

Mr. GEORGE. I yield to the Senator.

Mr. McNARY. I ask that the clerk state the proposal.

Mr. WALSH of Montana. Mr. President, pending that I suggest the absence of a quorum.

Mr. McNARY. Mr. President, will not the Senator permit the statement to be read? Then a quorum will be brought in.

The PRESIDING OFFICER (Mr. BRATTON in the chair). The clerk will read the proposed unanimous-consent agreement.

The Chief Clerk read as follows:

Ordered, by unanimous consent, that after the hour of 5 o'clock p. m. to-day no Senator shall speak more than once nor longer than 15 minutes upon the motions of the Senator from

Montana [Mr. WALSH] to reconsider the votes on the confirmations on the nominations of George Otis Smith, Marcel Garsaud, and Claude L. Draper, respectively, to be members of the Federal Power Commission, and to request the President to return the resolutions of confirmation to the Senate, and that before the end of this calendar day the Senate shall proceed to vote on the said motions, the right being reserved to demand a separate vote on each of the two propositions involved.

Mr. McNARY. Mr. President, will the Senator from Georgia further yield in order that I may suggest the absence of a quorum?

Mr. GEORGE. I yield.

Mr. McNARY. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll. The Chief Clerk called the roll, and the following Senators answered to their names:

Ashurst	Dill	Kendrick	Shipstead
Barkley	Fess	La Follette	Shortridge
Bingham	Fletcher	McGill	Smith
Black	Frazier	McKellar	Smoot
Blaine	George	McMaster	Steck
Borah	Gillett	McNary	Steiwer
Bratton	Glass	Metcalf	Stephens
Brock	Goff	Morrison	Thomas, Idaho
Brookhart	Goldsborough	Morrow	Thomas, Okla.
Broussard	Hale	Moses	Townsend
Bulkley	Harris	Norbeck	Trammell
Capper	Harrison	Nye	Tydings
Caraway	Hastings	Oddie	Vandenberg
Carey	Hawes	Partridge	Wagner
Connally	Hayden	Phipps	Walcott
Copeland	Hebert	Pine	Walsh, Mont.
Couzens	Heflin	Ransdell	Watson
Cutting	Howell	Reed	Wheeler
Dale	Johnson	Robinson, Ark.	Williamson
Davis	Jones	Robinson, Ind.	
Deneen	Kean	Sheppard	

The PRESIDING OFFICER. Eighty-two Senators having answered to their names, a quorum is present. The question is on the proposed unanimous-consent agreement offered by the Senator from Oregon [Mr. McNARY]. Is there objection?

Mr. WALSH of Montana. I ask that the proposed order be read.

The PRESIDING OFFICER. The clerk will read, as requested.

The Chief Clerk read as follows:

Ordered, by unanimous consent, that after the hour of 5 o'clock p. m. to-day no Senator shall speak more than once nor longer than 15 minutes upon the motions of the Senator from Montana [Mr. WALSH] to reconsider the votes on the confirmations of the nominations of George Otis Smith, Marcel Garsaud, and Claude L. Draper, respectively, to be members of the Federal Power Commission, and to request the President to return the resolutions of confirmation to the Senate, and that before the end of this calendar day the Senate shall proceed to vote on the said motions, the right being reserved to demand a separate vote on each of the two propositions involved.

The PRESIDING OFFICER. Is there objection?

Mr. BORAH. Mr. President, the Senator from Nebraska [Mr. NORRIS] is particularly interested in any agreement of this nature. I would like to ask the Senator from Oregon if he has conferred with the Senator from Nebraska.

Mr. McNARY. The Senator from Nebraska must know that there has been a quorum call. I asked that he be notified personally, and that was done. I am not advised whether it is satisfactory to him. I do not know how to obtain his presence.

Mr. COUZENS. Mr. President, may I say that I have just conferred with the Senator from Nebraska and he said he would not object?

Mr. BORAH. Very well.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. GEORGE. Mr. President, I desire to state my views upon the rule of the Senate and upon the constitutional question raised by the Senator from West Virginia [Mr. GOFF] and others. I desire merely to state my position without special elaboration.

In the first place, the President, of course, has the power to nominate, and in this case he did nominate and send his nomination to the Senate. In the second place, the Senate is called upon either to reject or confirm that nomination. In this case the Senate confirmed the nomination. The Senate has the power to reconsider its action. That power

inheres in the Senate. It arises aside from the fact that the Constitution gives to the Senate the power to make rules to govern its procedure. It exists in virtue of the fact that the Senate is sovereign with respect to its own deliberations. The power of the Senate and the rule made by the Senate in pursuance of that power is not subject to question anywhere else if the rule be reasonable and if it does not conflict with some provision of the Constitution or of some law made in pursuance of the provisions of the Constitution.

There was a nomination, there was a confirmation, and there was notification to the President within the period within which the Senate might entertain a motion to reconsider. The officers of the Senate sent the notice with the authority of the Senate and no Senator, I dare say, has quibbled or desires to quibble over that point. The question of notice in my opinion has no constitutional significance or effect. The act of the Senate would be just as valid if no notice went from the Senate to the President; that is to say, a formal notification. Therefore that notification or notice has no particular constitutional significance or effect.

The position taken here rests upon two grounds; first, that there has been a waiver by the Senate of its right to reconsider the action of the Senate upon this nomination, and, second, that the rule itself is unconstitutional. I want to notice the first proposition because if the first proposition is not sound I think there can be no possible merit in the second suggestion advanced.

It is insisted, and very earnestly insisted, that the Senate, by sending to the President notification of its action upon the nomination of Doctor Smith, waived its right to entertain a motion to reconsider the vote by which he was confirmed. That can not be true for this simple reason: The rule provides that any Senator who voted in the affirmative may make a motion to reconsider within the time stated in the rule. It further provides that if notification has been sent to the President within the time given to lodge the motion for reconsideration, then, in that event, the motion shall be accompanied by the additional motion, which is simply a part of the general or principal motion in my judgment, that the President be requested to return the nomination.

How can the contention prevail, as in this case, where the rule itself expressly provides that if notification has been sent within the time within which a motion to reconsider may be lodged, then in that event the motion shall incorporate a request to the President to return the notification? There can possibly be no waiver when the act from which it is insisted the waiver arises is by the express provision of the rule recognized as constituting no waiver. The rule in express terms recognizes the right of the Senate to entertain a motion to reconsider its vote upon this confirmation, and further recognizes that the motion to reconsider may be pressed and is in order and is within the rule although notification has gone to the President, because it provides, indeed requires, that a request to return the nomination be submitted to the President in that event. There is no waiver, therefore, and I dare say that upon second thought no one can insist that there is a waiver growing out of the mere fact that the notification was sent to the President within the period within which a motion to reconsider might be lodged under the Senate rule.

Indeed the waiver in this case is finally in the argument made to rest not upon the fact that notification was sent to the President but upon the fact that the President himself acted upon that notification. Of course, the doctrine of waiver is simply a part of the general doctrine of estoppel, and there must be affirmative action to the prejudice of the party asserting the estoppel, even in private relationship, before the doctrine can be invoked.

Mr. BINGHAM. Mr. President, will the Senator from Georgia yield to me?

The PRESIDING OFFICER. Does the Senator from Georgia yield to the Senator from Connecticut?

Mr. GEORGE. I will do so in just a moment, if the Senator will permit me to proceed.

If, therefore, one must look to something that occurred in the Executive Office in order to ascertain whether the mere sending of the notification to the Executive constitutes a waiver, the mere fact that the notification was sent within itself does not constitute a waiver of the Senate's rules. Let me repeat, it can not be asserted that, where the rule itself expressly recognizes the right to lodge the motion, and where the notification has been sent within the time within which the motion may properly be lodged, the sending of the notice to the President can constitute waiver.

It is said here, let me repeat, that the President acted upon that notification, made the appointment, issued the commission, the appointee took the oath and went into office, and that all of these several circumstances constitute a waiver of the Senate's right to entertain the motion to reconsider the vote by which the appointee was confirmed.

Now I yield to the Senator from Connecticut.

Mr. BINGHAM. I thank the Senator. Has the Senator thought of the possibility of the Executive, in view of the fact that in Rule XXXVIII clause 4 comes after clause 3, to which the Senator has referred, and therefore might be considered as explaining it and making it a little more certain, construing it to mean that a notice to the President of the confirmation would not be sent if it were likely that a motion for reconsideration was to be made? Clause 4 of the rule specially states that

Nominations confirmed or rejected by the Senate shall not be returned by the Secretary to the President until the expiration of the time limited for making a motion to reconsider the same, * * * unless otherwise ordered by the Senate.

The Senate having "otherwise ordered," and by unanimous consent having permitted the President to be notified, was not that a sufficient notice to the Executive that he might proceed to have the appointees sworn in and commence their duties—

Mr. GEORGE. I do not—

Mr. BINGHAM. If the Senator will pardon me—particularly in view of the fact that in the first part of clause 3 of Rule XXXVIII it is stated that a reconsideration must be moved "on the same day, * * * or on either of the next two days of actual executive session of the Senate," which might mean a very considerable number of days, as there might be a period of three or four weeks before the second "actual executive session" took place. That would mean very great delay in the appointing power of the President if it were intended that there should be a reconsideration.

Clause 4 of this rule seems to do away with the possibility of the President being obliged to wait for any such length of time by providing that he shall not be notified until the period has elapsed unless the Senate shall have otherwise ordered.

Mr. GEORGE. Exactly, Mr. President; but even section 4 of Rule XXXVIII recognizes the power of the Senate to reconsider its vote by which a nomination is consented to where the notice is sent within the time fixed in the rule; in other words, the fourth paragraph of the rule recognizes the power of the Senate to reconsider its vote although the notice has been sent to the President.

Mr. BINGHAM. But is not the implication of paragraph 4 that the President will not be notified until the time shall have transpired unless the Senate believes that there is no likelihood of a reconsideration being moved and directs that the President be immediately notified?

Mr. GEORGE. No; because the rule provides for sending of the notice by order of the Senate where the motion to reconsider is actually pending, even by the very text of the rule, as the Senator will see if he will read it.

I agree with the Senator's general observation that presumably when the Senate sends a notice, unless there be a motion pending to reconsider, the Senate is certainly of the opinion presently that there will be no effort to reconsider its vote; I am not quibbling about that; I am addressing myself to the one proposition which is the base of the legal argument that has been made in this body, to wit, that the sending of a notice to the President is a waiver of the Senate's right to reconsider the vote on the nomination

itself. That can not be true because in the text of the rule provision is made for the reconsideration of the vote where the notification has been sent to the President. In that event the motion must merely add the request that the notification be returned to the Senate.

Mr. BINGHAM. Mr. President, will the Senator from Georgia yield further?

Mr. GEORGE. I will yield to the Senator for a question, but I want to conclude.

Mr. BINGHAM. Is it not possible that by implication the rule to which the Senator has just referred, namely, paragraph 3, of Rule XXXVIII, is intended to cover the notification to the President made erroneously by a clerk without authority?

Mr. GEORGE. Oh, no, Mr. President; it is not intended to cover that in any event because a rule is never made in contemplation of an error or an act beyond the authority of the officers of the body to perform. Rules are always made in contemplation of acts that officers are empowered to perform. It would not be necessary at all to provide for the recall of a notification sent to the President without authority of the Senate. Therefore, I prefaced my statement by saying that I am not quibbling at all over this situation. The nominations were sent to this body; this body confirmed Doctor Smith, and the notice went to the President from this body by its authority; but within the time fixed by the text of the rule a motion to reconsider was lodged and was accompanied by the proper motion under the language of the rule requesting the President to return the notification to this body. The single position which I take is where provision is made by the rules for the very thing which is insisted here constitutes a waiver that the insistence is illogical; it is a *reductio ad absurdum*, with all respect to those who have made it. There can not possibly be a waiver based upon the single fact that is contemplated and textually provided for in the rule itself, because it is equivalent to saying that, although the notification has been sent to the President, then the Senate has the right to reconsider, but, either as a matter of respect or more than that, it will accompany the motion to reconsider by a request to the President to return the notification.

Paragraph 4, to which the Senator refers, contemplates a situation where the notice is to be withheld, of course; and that is the general rule, and that is all the waiver that has been made in this case, to wit, the waiver of the general rule that the President is not to be notified until the time for the lodging of the motion to reconsider has passed. In other words, the time of the sending of the notice to the President was waived by this body by appropriate action, and therefore its officer acted with the consent and authority of the Senate, and not contrary to it.

Mr. BINGHAM. But is it not a fair inference to draw from the fact that the Senate waived its rule and, contrary to the rule, did notify the President; that therefore there was no necessity for the President to hold back the swearing in of the appointee until the time for reconsideration had gone by? Was not the very fact that the Senate notified the President against its own rules before the time limit had expired notice to the President that there would be no reconsideration?

Mr. GEORGE. Oh, no; that was not such a notice at all, because the rule—

Mr. BINGHAM. What is the inference the Senator would draw from that?

Mr. GEORGE. That is not the inference I would draw because I am forbidden to draw it by the very text of the rule itself. The rule says that if the motion for reconsideration is pending—there is the strongest case and let us take it—then the notice shall not be sent to the President unless the Senate otherwise orders; but, according to the logic invoked in the Senate, though the motion for reconsideration is actually pending and Senators are here insisting upon their right to be heard upon it, if the Senate by two-thirds vote, for instance, should send the notice to the President, the motion to reconsider would be waived and

would be nugatory and void. That can not be the rule; it can not be the correct interpretation, because the rule provides for the sending of notification to the President by order of the Senate when there is actually pending in the Senate a motion to reconsider the vote by which the nomination was confirmed. So I can not draw the implication from this provision of the rule which the Senator seems to be able to draw, and I am frankly at a loss to see how he can draw it.

Mr. BINGHAM. If the motion to reconsider had been pending, I agree the Senator would be entirely right, that no such an inference could be drawn; but, since no motion to reconsider was pending when the Senate waived its rules and notified the President, was it not a fair inference to the Executive that there would be no motion to reconsider?

Mr. GEORGE. Exactly; I do not dispute that proposition; I agree to it. Not only was it a fair inference but I take it that the Senate presently believed that there would be no motion made for a reconsideration. I am willing to concede that to be true.

Mr. BINGHAM. If the Senator concedes that, will he explain what might happen if a nominee were confirmed on the last day before the Christmas recess, the President was notified, and the nominee took office and had been holding office for two weeks before we met again? Would he then claim that we might ask for the name to be sent back and reconsider the vote by which the official had been confirmed?

Mr. GEORGE. Unquestionably so, if the motion is made within the next two days on which executive sessions are held by the Senate, because the rule affirmatively and by its literal provisions so provides.

Mr. BROOKHART. Mr. President—

The VICE PRESIDENT. Does the Senator from Georgia yield to the Senator from Iowa?

Mr. GEORGE. I yield.

Mr. BROOKHART. On that proposition does not paragraph 5 of the rule define what constitutes a waiver? It provides that a recess of more than 30 days shall be a waiver, but the rule having defined what is a waiver, nothing else can be a waiver.

Mr. GEORGE. Yes; I think that is true, of course, in the case of a motion to recess for more than 30 days. There is nothing better settled, I think, Mr. President, than the broad proposition that where the very act that it is insisted upon as constituting a waiver is itself recognized by the rule under which we are proceeding, or the law under which we are acting, as not setting up any bar to the proceedings the body wishes to take such waiver can not possibly be invoked.

It can not be, and it has not been. What has been attempted here is to invoke the subsequent action of the President—that is, the action of the President upon the receipt of the notice—as constituting estoppel or waiver of the Senate's power to reconsider its action. That can not be true, because in one circumstance where the President had not acted upon the notification, although it had been sent, there would be no waiver. In the other instance, there would be a waiver of the Senate's rule, according to the contention made.

I am discussing now the simple question of waiver. The sending of the notification to the President within the time fixed by the rule within which the motion to reconsider may be made can not possibly be a waiver, because if the President had not acted there would be no insistence here that it was a waiver. Therefore, the insistence here made is not that there has been in fact a waiver, but that this notification having reached the President, and he having acted upon it, the legislative body is estopped.

That can not be true. In the first place, the doctrine of estoppel applies in private relationships. It has no application to the sovereign—to the Senate exercising its constitutional prerogative. It ought not to be invoked, and it can not be rightfully invoked.

But let me say what this notification did mean as I think, and what it authorized the President to do.

When the notification went to the President he did have the right to assume, let us concede, because the Senate itself was presently of the opinion, that there would be no motion to reconsider; but what was the notification?

The notification was that on the 20th day of December, George Otis Smith was duly confirmed by the Senate. What does the Senate rule say? It provides that on that day and within the next two legislative days on which executive sessions of the Senate are held the action of the Senate may be reconsidered—that is, a motion may be made—and that motion, of course, may prevail.

Mr. BROUSSARD. Mr. President—

The VICE PRESIDENT. Does the Senator from Georgia yield to the Senator from Louisiana?

Mr. GEORGE. I do. I prefer to yield for a question.

Mr. BROUSSARD. What concerns me in this matter is that two-thirds or three-fourths of the time of the debate on this question has involved a legal question such as that which the Senator is discussing, which affirms that the Senate has a right to consider this motion. Why are we discussing that for four days, when as a matter of fact it is a subject before the Senate, and we are going to take a vote on it?

If a man merely challenges the legality of a motion made, but there is no point of order raised against it, no motion made to table it, why discuss it? It is being considered, and we are going to vote on it. We have been debating that for four days.

Mr. GEORGE. Very well, then, Mr. President. I am discussing it, however, because the opposition to this motion raised the question and insisted upon it here in a very learned and a very able argument delivered by the Senator from West Virginia [Mr. Goff]. I am assuming that if the Senate believes that it has no power to consider this motion at this time it would vote against it, whatever might be the general view of the Senate on the propriety or impropriety, or more, of the action taken by the three members of the commission upon which the motion is predicated.

Let the President himself answer, if he has an answer, why he is not willing to comply with whatever request the Senate may make of him; and I do not assert that he has not a right to answer. He has that right. It may be that he can well answer that when he received this notice he took it at face value, and assumed that the Senate knew of no reason why a motion to reconsider its vote would be made. But he must take it with notice nevertheless, Mr. President; and upon that point let me repeat: When the notification about which we have heard so much went from the Senate, it was simply a notification that on the 20th day of December the Senate did advise and consent to the nomination and appointment of George Otis Smith. The Senate rule provides for reconsideration of that vote. The notification was lawfully sent to the President. It spoke the truth; and yet in it went the rule of the Senate as if it were written upon that notification, and why?

Because the President of the United States holds office under the same Constitution that authorizes the organization of this body as the Senate; and of all agencies charged with the notice of every valid rule made by the Senate the Executive is primarily charged, even as the Senate is charged with notice of every valid Executive order issuing out of the executive department with respect to matters in which the Senate and Executive have joint responsibilities, for the simple reason—

Mr. HASTINGS. Mr. President—

Mr. GEORGE. For the simple reason that both act under and by virtue of the same organic law, and the Constitution in express language recognizes the right which of necessity would inhere in this body as a part of the sovereignty of the Nation even without that provision, but it in express language recognizes the right and power of the Senate to make rules governing its proceedings.

Mr. BINGHAM. Mr. President—

The VICE PRESIDENT. Does the Senator from Georgia yield; and to whom?

Mr. GEORGE. I yield first to the Senator from Delaware.

Mr. HASTINGS. Mr. President, does the Senator concede that it would be a sufficient answer to this resolution if the President should reply that the persons had been named and had taken the oath of office?

Mr. GEORGE. I do not; but upon that point the President, of course, is entitled to his judgment.

Mr. BINGHAM. Mr. President, will the Senator yield?

Mr. GEORGE. I yield now to the Senator from Connecticut.

Mr. BINGHAM. Does the Senator hold that it is the duty of the President, when he receives word from the Senate that a nominee has been confirmed, to look at the calendar and see whether the days have expired during which time the Senate might reconsider that action? Or may he immediately cause the officer of the Army or Navy or Post Office Department, as the case might be, to be sworn into office?

Mr. GEORGE. He might do either.

Mr. BINGHAM. Does the Senator hold that the President is correct, then?

Mr. GEORGE. I hold that he is bound to know, as if it were textually a part of the notification, that under the Senate rule the action of the Senate of which he is notified may be reconsidered. That is all I hold.

Mr. BINGHAM. The Senator does not hold, then, that he did wrong in having the oath administered to the commissioners?

Mr. GEORGE. Does the Senator mean moral wrong or legal wrong? I see no immorality in it.

Mr. BINGHAM. I mean offending the spirit of the Senate rules which the Senator says it was the duty of the Executive to observe.

Mr. GEORGE. I am not prepared to say that he offended the spirit of the Senate rules, or rather intended to offend the spirit of the Senate rules.

Mr. BINGHAM. Then, Mr. President, if it is quite within the bounds of propriety for the President to have the oath administered, have we not a very curious situation—that an officer of the Government properly appointed and confirmed, and having taken the oath, does not know whether he is actually in office or not, but must wait for a period of time to elapse afterward before he carries out the duties of his office, although he has taken the oath so to carry them out?

Mr. GEORGE. I hardly know where to begin to answer the Senator's question, but if he will listen I will try to make my view of it clear, to wit, that when the President received the notification, if he then wished to act, believing that in all probability and in nine hundred and ninety-nine cases out of a thousand there would be no effort upon the part of the Senate to reconsider its action, he might, if he wished, say to the nominee: "Here is your commission. Take your oath." But he is bound, above every other branch of the Government, to know that the nominee is taking no absolute right to the office, no vested or perfected right to the office; but he is taking it subject to the right of the Senate, within the time fixed by its rule, if it be a reasonable rule, to reconsider its action.

That is all. If the President wished to act immediately, and there had been no reconsideration, what then? There would be nothing of the matter. But if the President elected to act immediately, and the Senate did reconsider, under its rules, its action consenting to the nomination, what then? Mr. President, let me repeat, the Executive, above every branch of the Government, is bound by the rules of this body, if those rules be reasonable and valid, for the reasons already stated.

Now, why quibble about it? Is there anything unreasonable in the rule? Let any Senator rise and assert it. Is there anything unreasonable in providing that the Senate may have two executive sessions after the day on which the confirmation was voted to reconsider its action?

Mr. HASTINGS. Mr. President—

Mr. GEORGE. Since the foundation of this Government it has been recognized in both branches of the Congress that a reasonable period of time—and two days has been the usual time adopted—was the time in which a motion to reconsider any action by either House might be lodged and might be entertained.

Mr. CONNALLY. Mr. President—

Mr. GEORGE. I yield to the Senator from Texas.

Mr. CONNALLY. May I suggest to the Senator that rarely, if ever, when action is taken, has it been anticipated that it will be reconsidered.

Mr. GEORGE. Exactly.

Mr. CONNALLY. And if the fact that nobody makes the point would cut off reconsideration, the effect would be to destroy the rule absolutely.

Mr. GEORGE. Absolutely.

Mr. BINGHAM. Mr. President, will the Senator yield?

Mr. GEORGE. I must yield first to the Senator from Delaware [Mr. HASTINGS], because he rose first.

Mr. HASTINGS. Mr. President, I just wanted to suggest that the reasonableness of this rule, in my judgment, depends entirely upon what construction we put upon it.

If we undertake to put upon it the construction that the Senator puts upon it—namely, that the notice by the Secretary to the President is not a final notice—then I insist that it is unreasonable.

Mr. BINGHAM. Mr. President—

Mr. GEORGE. Now I yield to the Senator from Connecticut.

Mr. BINGHAM. The Senator asked whether anyone thought the rule was unreasonable; and I must confess that I agree entirely with what the Senator from Delaware has just said—that it is most unreasonable that there should be a rule permitting the President to be notified that his nominee has been confirmed by the Senate in accordance with the constitutional right of the Senate to confirm nominations, and therefore he causes the oath to be given to the officer, and yet that officer does not actually then begin his regular term of service. If that is the rule, it is most unreasonable. But, Mr. President, I believe the rule is reasonable for the reason that in section 3 of the rule it provides for the motion to reconsider, that it may take place at any time within two days of actual executive sessions of the Senate. That is a proper provision, and a reasonable one.

Mr. GEORGE. Although we might not have executive sessions within more than 30 days of each other, the Senator still believes that is reasonable?

Mr. BINGHAM. Well—

Mr. GEORGE. Oh, we usually have executive sessions occasionally.

Mr. BINGHAM. We usually have them, yes; but it might be well to change that particular part of the rule. But the reason why it seems to me the rule is reasonable is that in section 4 it is provided that the President shall not be notified of the confirmation until these two days have passed by; and—

Mr. GEORGE. Why does not the Senator repeat the balance of the rule?

Mr. BINGHAM. And it is quite obvious—

Mr. GEORGE. No, no; why does not the Senator repeat the balance of the rule? If he is going to make a speech in my time, let him quote the rule correctly. The President shall not be notified until the period has expired, or while the motion to reconsider is pending, unless the Senate shall otherwise order. Is there anything unreasonable about the rule?

Mr. BINGHAM. It seems to me, I will say to the Senator, that it is a very reasonable rule; and that when the Senate does otherwise order it is expressly saying to the President, "We do not propose to use our right to reconsider."

Mr. GEORGE. Mr. President, the logic of that position is clearly developed by the distinguished Senator from Connecticut [Mr. BINGHAM] in the face of the provision, which is that where the motion to reconsider is actually pending the sending of the notice is, nevertheless, notice to the President that we do not intend to insist upon it.

Mr. BINGHAM. Oh, no, Mr. President; the Senator is not quite fair in that.

Mr. GEORGE. That is what the Senator said.

Mr. BINGHAM. No, Mr. President.

Mr. GEORGE. The Senator said that the sending of the notice to the President was notice that the Senate did not

propose to reconsider. Now I must not yield longer for argument, Mr. President.

The VICE PRESIDENT. The Senator from Georgia declines to yield further.

Mr. GEORGE. I will yield for a question but not for an argument.

Is there anyone here who will insist that the notification to the President was, within itself, a waiver? I dare say that there is no one here who will insist that the sending of the notification was, within itself, a waiver.

Mr. WALSH of Montana. Mr. President, will the Senator suffer an interruption while this matter which has been the subject of discussion between him and the Senator from Connecticut is before us?

Mr. GEORGE. I yield.

Mr. WALSH of Montana. I want to call attention to the rule which was in effect when the precedent referred to by the Senator from West Virginia arose, in 1830. The rule in effect then was adopted in 1828, and reads as follows:

When a question has been once made and carried in the affirmative or negative, it shall be in order for any member of the majority to move for the reconsideration thereof: But no motion for the reconsideration of any vote shall be in order after a bill, resolution, message, report, amendment, or motion upon which the vote was taken, shall have gone out of the possession of the Senate, announcing their decision; nor shall any motion for reconsideration be in order, unless made on the same day on which the vote was taken, or within the two next days of actual session of the Senate thereafter.

In 1877 that rule was amended so as to provide that a motion for reconsideration could be made after the notice had passed out of the possession of the Senate, but the motion to reconsider should then be accompanied by a request that the papers be returned.

Mr. GEORGE. Exactly; and what the Senator from Montana has said reinforces the position which I take; reinforces the position, indeed, which every man must take when he, without bias or partisanship, analyzes this rule.

It is a legitimate question whether the rule is reasonable. I concede that. If it is not a reasonable rule, of course, it is void. Is it not reasonable to give to this body the day on which a vote is taken and the next two days upon which it possibly could consider a motion to reconsider a vote? Is not that a reasonable provision? Is it not entirely reasonable in all of its provisions? I pause. Are not the textual provisions of this rule reasonable?

It is asserted that the rule is unconstitutional. That assertion is based upon one proposition. It is without merit, in my view of the matter, unless one thing be true, to wit, unless Doctor Smith, in this case, had been legally inducted into his office and was entitled to that office; in other words, unless he had acquired a vested right to that office.

The argument of the unconstitutionality of the rule proceeds upon the proposition that Doctor Smith had been nominated, had been confirmed, had been legally appointed, and was legally in office. If he is legally in office, it is said that the rule is unconstitutional because it is an encroachment upon the Executive's power of removal from office. In other words, under the Constitution, the Executive and the Executive alone has the right to remove public officers. We need not now discuss what kind of public officers, but he and he alone has the unrestrained right and the unqualified power to remove a public officer.

If Dr. George Otis Smith is in office legally, then we can not make a rule of this body which would encroach upon the President's power to remove him. It would follow, of course, that the motion, if it should prevail, to request the President to return the notification of the vote taken by the Senate on the nomination of George Otis Smith, would result in the removal of Doctor Smith from an office which he legally occupied.

The whole force of the second position taken by the very able Senator from West Virginia [Mr. GORF], my warm, personal friend, for whom I have the warmest admiration, the whole force of his argument that the rule is invalid, is based upon the proposition that Doctor Smith is actually in office, entitled to the office, and that the rule attempts

therefore to compel the President to exercise his power of removal.

Mr. President, if there is no waiver of the right of the Senate to entertain the motion to reconsider, the notification which went to the President reciting the simple fact that on a day named, to wit, the 20th day of December, the Senate affirmatively consented to the nomination of Dr. George Otis Smith, charged the President then and there with notice of the further provisions of the standing rules of this body, by which and under which this body had the right to reconsider its vote, and Doctor Smith never acquired a perfect right to the office. A vested right, if you please, by all the authorities, is a right perfect in itself, in no wise contingent upon the happening of any event. Doctor Smith took his oath, the President gave him his commission, with the rule of the Senate written across the notification sheet. The Senate advised and consented on the 20th day of December to this nomination. The Senate has the right and the power to entertain a motion to reconsider that vote if made within the time fixed by the rule.

Mr. HASTINGS. Mr. President, will the Senator yield?

Mr. GEORGE. I yield.

Mr. HASTINGS. Will the Senator explain the purpose of any notice at all to the President? What is the purpose of notice to the President, particularly in paragraph 3 of the rule?

Mr. GEORGE. It has no constitutional significance whatsoever. It is the means by which a coordinate branch of the Government deals respectfully with another. A message is sent to us, and we respectfully return the notification. In nine hundred and ninety-nine cases out of every thousand, and even perhaps a larger proportion, no motion is made to reconsider a vote by which the Senate consents to a nomination, and as a matter of legislative courtesy, in order to permit business to go on in the ordinary, usual manner, if the Senate presently knows of no reason why it will look with favor upon a motion to reconsider, it is perfectly natural and normal, and tends rather to expedite than retard public business, to let the notice go forward as a mere matter of form.

Mr. HASTINGS. Mr. President, how could it possibly expedite business to notify the President that confirmation had been made of a nomination in the Senate, if the President is to be blamed for paying any attention to the notice, and must wait and examine the record himself in order to find out whether the time for reconsideration has passed?

Mr. GEORGE. Let me answer the Senator by saying that when the Senate has the matter under consideration, it will then effectively dispose of it so far as it is then advised that it desires to deal with that particular matter. But let me warn the Senator now that if his view of the rule is correct, hereafter notification to the President will not be given until the Senate has exercised its full right.

I might well ask the Senator from Delaware, why did the Senate do the perfectly useless thing of providing in its rules that where a motion for reconsideration was made, and the notice had been sent to the President within the time in which the motion might be made, then, in that event, the President should be respectfully requested to return the notification to the Senate? My question to him answers his question to me.

Mr. President, there being nothing in the position taken, I respectfully insist, on the question of waiver, George Otis Smith never took a perfected right to his office, but he took it subject to the Senate's right to reconsider the vote by which he claimed that office. Therefore the constitutional question never arises; it can not arise. Nothing the Senate may do in the nature of a request to the President to send back the notification can be an undue encroachment upon the Executive power to remove if George Otis Smith has not a perfected right to his office; and he has not, because he took it under a notification to the President which recited the day on which the Senate voted, and with the rule clearly before the Executive's eye that within a certain period thereafter the vote might be reconsidered.

There is involved no disrespect to the President. It ought to be said in candor that the moment the notice was ordered to leave the Senate, no one contemplated a motion to reconsider. Indeed, the motion to reconsider is predicated upon something which thereafter occurred in this particular case.

The Senate acted in good faith. There is no doubt but that the President in like good faith might act immediately upon the receipt of the notice, but he must act with the full knowledge of the reserve power in the Senate under its rules and under the Constitution to revoke its action; that is all.

It certainly is not necessary to impugn the motives of the President in this matter, nor am I answering for the President, as my friends do across the aisle responsive to this notice, assuming that the motion prevails. I am not trying to give to the President an answer nor assuming to answer for the President. I am not assuming, in the first instance, that he will refuse to return the notification or nomination. I am not assuming that he will refuse to do so for the reasons which have been urged on the other side of the aisle.

We have the strange position that if the President had not acted upon the notification, then under the Senate rule there could be no contention and no claim that the Senate waived its right to reconsider the vote, and yet if the President did act that there is a waiver and a complete and absolute waiver. Senators have been most diligent in trying to provide the President with an answer to the question, in spite of the fact, no doubt, that the Senate would respectfully request the President to send the notification and the nominations back to the Senate for consideration by the Senate.

Mr. President, I have addressed myself to the legal phases of the matter and to the legal phases of the matter only. The time for the operation of the unanimous-consent agreement is now at hand, I believe.

The VICE PRESIDENT. The agreement is now in effect. The Senator has 15 minutes under the unanimous-consent agreement.

Mr. GEORGE. Surely there should be no motion lodged to reconsider in this case, and in good morals there ought not to be a motion lodged to reconsider the vote in this case unless there exists substantial reasons for reconsideration.

Upon the merits, the issue has been very clearly defined. It was defined by the controversy which arose in the old Water Power Commission. Upon the one side of the issue were the two employees, the solicitor and the accountant, Messrs. Russell and King. Then we had the precipitate action of the three members of the commission in dismissing these employees, definitely and distinctly announcing to the country the position of the newly organized Power Commission.

The issue has been joined between Bonner on the one hand and King and Russell, on the other hand, and that issue the country understands. It has been very forcefully stated here. Let me say that we may be well advised that that issue is engaging the attention not of the radical forces in the country. Millions of conservative men and women are seriously concerned over the developments which have taken place in the great hydroelectric field. To state the proposition carries conviction of its soundness. The people of the Nation want different methods of accounting. They want the direct way of arriving at the real values of the utilities. They want the time to pass away, if indeed it ever existed, when it is necessary to retain the great holding corporations into which all the utilities of the country practically have become merged. Let us be well advised that upon the issue clearly defined by the actions of men down in the old Water Power Commission, George Otis Smith meant to take his position, meant to declare his position, was anxious that the country should know his position when by hasty action three members dismissed, or attempted to dismiss, the two men who represented the one side of that great question.

Yet the attempt was made here in the early proceedings on this motion to confuse the issue. Actually for a day or

more I did not know whether these three members had discharged or had in effect discharged or had refused to avail themselves of the services of Messrs. Russell and King. It reminded one very much of the famous illustration of the right to insist upon inconsistent pleas in a court of law, one being charged with the offense of the larceny of a duck asserting in the first place that he had bought the duck, in the second place that he had found the duck, in the third place that the duck had flown into his coop, and finally that there was no duck.

In the opening of this debate we were invited deliberately to reach somehow a sorry conclusion that Doctor Smith and his two fellow members on the commission had not discharged and had not intended to discharge King and Russell, who personified the one side of a great public question, when the whole purpose of the precipitate action was to put the country on notice that they were getting rid of Russell and King. Otherwise a single statement from Doctor Smith back in the holiday season would have put the whole controversy at rest—the simple statement that the public had misunderstood the action taken or attempted and that the commission had intended no such thing as the public had erroneously been led to believe.

Mr. President, upon this issue, as I think, I am justified in changing my vote from one assenting to the confirmation to one dissenting from the confirmation of Doctor Smith. While the Vice President announced that the motions are separable and that a vote may be had separately on each of the motions, I would not vote for a request to the President of the United States to send back the nomination unless there were substantial grounds upon which I was prepared to vote against the nomination if it should be sent back.

Mr. GLASS. Mr. President—

The VICE PRESIDENT. Does the Senator from Georgia yield to the Senator from Virginia?

Mr. GEORGE. I yield.

Mr. GLASS. What puzzles me is, why this constant emphasis on the action of the three commissioners? Who is prepared to assert that the other two commissioners would not have concurred if they had been present?

Mr. GEORGE. I am not. I do think, in fairness to one of them, that I should say there was some public statement made by him indicating at least that he would not have concurred. Whether that statement was authorized I do not know.

Mr. GLASS. There has never been any authoritative statement that the other two would not have concurred. As a matter of fact, I have been told that they practically confirmed what was done upon their return to Washington.

Mr. GEORGE. I am not able to answer the Senator.

Mr. BROUSSARD. I may say that that was done.

Mr. MORRISON. Mr. President—

The VICE PRESIDENT. Does the Senator from Georgia yield to the Senator from North Carolina?

Mr. GEORGE. I yield.

Mr. MORRISON. I want to ask if the Senator from Georgia is prepared or knows anybody who is prepared to state that they would not have concurred if they had been present, which seems to me to be the question.

Mr. GEORGE. I disclaim any knowledge upon that point.

Mr. BROUSSARD. I do not know anything about what the attitude of the other two members was at that time. I did offer the minutes of the two meetings held by the commission when the five members were present, at which no protest was made over what was done previously.

Mr. RANDELL. Mr. President, the debate has gone on to considerable length. We have heard much wisdom on constitutional questions during its progress. I had hoped to avoid having anything to say but deem it my duty to submit just a few remarks. In the beginning, I wish to say that as I have only 15 minutes I hope no Senator will try to interrupt me by asking questions.

I can not agree at all with the contention of the learned Senator from Georgia [Mr. GEORGE] that the action of the

Senate in notifying the President that it consented and advised to the appointment of the three gentlemen did not amount to a waiver. I think that it did amount to a waiver. It is a practice which I have seen observed during my 18 years in the Senate and observed practically all the time, and when there was any idea on the part of any Senator that a motion to reconsider would be made the President was not notified.

Briefly the facts in the case are that the five gentlemen were designated, their names were sent to the Senate, the Senate through its Committee on Interstate Commerce made a searching investigation as to the merits or demerits of the five men, hearings were held, a number of witnesses appeared, and the committee recommended the confirmation of the five appointees. Thereupon the matter came before the Senate. It was very carefully considered here, and, by a vote of fully three-fourths of the Senators present and voting, the Senate agreed to advise and consent to the appointment of the five members of the Power Commission. Thereafter the President was notified and upon being notified he issued commissions to them. They took the oath as members of the Federal Power Commission, and then, in accordance with the act creating it, as I read that act, the old commission ceased to exist, and every employee of the old commission, including Bonner, Russell, and King, ceased to hold office. Listen to section 2 of the act:

The commission shall have the authority to appoint, prescribe the duties, and fix the salaries of a secretary, a chief engineer, a general counsel, a solicitor, and a chief accountant, and may, subject to the civil service laws, appoint such other officers and employees as are necessary to the execution of its functions and fix their salaries—

And so forth.

Then section 3 provides:

The commission shall be deemed to be reorganized upon such date as three of the commissioners, appointed as provided in such section, have taken office.

The very moment those commissioners qualified by taking the oath all of the employees of the commission ceased to hold office. They went out of office not by virtue of the act of the commissioners but by the law itself which declares the offices vacant. It was an act to reorganize the Federal Power Commission and in its reorganization every one ceased to have any power, from the three Cabinet members who constituted the old commission down to the humblest employee of that commission. So if the commissioners did put these three men out of office—and I contend they did not, but that they went out of office as the result of law—it was not at all necessary for them to take the action.

As Senators will notice from the hearings there was a decided demand for Mr. Bonner to be removed from office at once. I read just a few words from page 38 of the hearings. The junior Senator from Montana [Mr. WHEELER] said:

I think it is safe to say that the big majority of this committee would be opposed to Mr. Bonner being retained down there—

That is, on the Power Commission—

because of his attitude with reference to these leases upon these power-site permits, and I think it is only fair, before these men are confirmed, that we find out what is going to be the attitude of this new commission with reference to keeping Mr. Bonner. I for one would like to know it.

The Senator from Montana indicated that Mr. Bonner's attitude had been apparently that of allowing the power companies to build up their accounts. Then he went on to say that there was general opposition to Mr. Bonner. The Senator from Washington [Mr. DILL] confirmed him in that statement, and Mr. Smith, who was being queried, was almost forced to say what would be his action in regard to Mr. Bonner. All the arguments which have been made have been in favor of Mr. Russell and Mr. King. The action in getting rid of Bonner, if he was gotten rid of, seems to have given the opposition great satisfaction. No indecent haste, no injustice, is alleged so far as Mr. Bonner is concerned on the part of the members of the Power Commission. Why? Because Mr. Bonner is supposed to have been too friendly to

the power interests, while the other two men are supposed to have been opposed to the power interests.

I contend, sirs, that we are not here to defend the power interests; we are not here to defend the opposition to them, but to do what is just and fair among all the citizens of the United States. What right have we to say because three members of the Power Commission, in accordance with the law, recognized not only that the three places filled by Bonner, Russell, and King were vacant but that all the other positions under the commission were vacant, that they showed undue friendliness to the power interests? I can not view it in that light at all.

Senators, if they performed the act of dismissal—and I contend they did not, but that it was done by the law—was not that an official act, and does not that show that they were members of the commission; that they were in office; that they were performing the functions of the office of Federal Power Commissioners? They are either members of the Power Commission de jure under legal appointment and legal qualification or they are usurpers. If they are in office legally, of course, we can not put them out in this indirect manner. Even if they are usurpers, they are certainly de facto members, for they have been exercising their powers for more than two weeks. They certainly exercised what is contended here was an illegal, unjust, indecent act in declaring the offices of three members of the staff vacant. If they are in office, can we put them out in this manner or must we resort to impeachment proceedings or to the courts? I contend that we must.

What is the purpose of a motion to reconsider? It is to look over again, to consider a second time an action previously taken. Our action was to confirm the nominations of these commissioners. We are now asked to reconsider that action, not on any state of facts that existed prior to the 20th of December but on something that is alleged to have taken place since. So far as this motion goes, these men were all right until they took this alleged action on the 23d of December. That does not come under a motion to reconsider; that is something new, it is something entirely different, something that did not exist when the original vote to confirm was taken, and it is not a proper matter for reconsideration.

Senators, after these men have been nominated and confirmed by vote of the Senate, after they have been appointed and qualified and have performed their duties for more than two weeks, how can it be contended that they can be put out of office? The able Senator from Georgia [Mr. GEORGE] has said that Mr. Smith has no vested right in the office. The Supreme Court, in the famous case of *Marbury versus Madison*, took a different view. The court in that case said:

It is therefore decidedly the opinion of the court that when a commission has been signed by the President the appointment is made, and that the commission is complete when the seal of the United States has been affixed to it by the Secretary of State.

The commission in this case was signed by the President, and I assume that the seal of the Secretary of State was affixed thereto. The court goes on to say:

Where an officer is removable at the will of the Executive, the circumstance which completes his appointment is of no concern, because the act is at any time revocable, and the commission may be arrested, if still in the office.

But—

And such is the case in the present instance—

But when the officer is not removable at the will of the Executive—

And the Executive has no right to remove these men; they have been appointed for definite, specific terms, and they can only be removed by impeachment—

the appointment is not revocable and can not be annulled. It has conferred legal rights which can not be resumed.

Therefore, it seems to me, Mr. President and Senators, that we must treat this matter as *fait accompli*; it is settled; it has passed beyond us. We acted carefully, with due deliberation, examining thoroughly into the qualifications of the five men. We decided that they were qualified and were

all right, and we told the President so. He acted in accordance with what we told him. They took their office; they began to perform their duties. I contend, sirs, that they have done nothing that was indecent, nothing that was wrong. They simply recognized the law as they found it; they simply declared in substance that the old commission had ceased to exist, and they were going in their own way to reorganize it, as the very title of the act and its terms required them to do. Therefore, Mr. President, I shall certainly vote against the pending motion, and I hope it will be defeated.

Mr. BINGHAM. Mr. President, I am sorry the Senator from Georgia [Mr. GEORGE] has left the Chamber, because I desire to make a few remarks along the line of answering some of the statements which he made.

It seems to me that what we are actually doing in these opening days of the session is trying in a most irregular way an impeachment. I have listened to some of the long speeches that have been made, including that of the Senator from Montana, and have read some of the others as they have been printed. The chief objection against these appointees seems to be based on something which they have done since they took office.

Doctor Smith is not objected to for what he did prior to his confirmation, but the objection is to what Doctor Smith did after he took office. If he did not take office, then he did not do the act complained of; if he did not take office, then, of course, we can reconsider our action in confirming his nomination; but if we are objecting to something that he did after he took office, then he is in office, and he can only be removed by impeachment proceedings.

Mr. President, I presume I shall be charged by the Senator from Georgia with being partisan. The Senator from Georgia remarked that no one could disagree with the position which he took as to the rule except for partisan motives. I deplore his reference to partisanship in this case. I realize that frequently we disagree with the rules of the Senate because they run counter to something we would like to do or would like to see done. I realize that very often in appeals from the decision of the Chair we are moved more by that which we desire to see done than by actual, calm, judicial judgment as to what the rule really means. I regret that there should be any charges of partisanship in this matter, because, Mr. President, it seems to me that it goes far deeper than any partisanship, far deeper than any case of hue and cry against the Power Trust. It strikes, it seems to me, directly at our theory of government, of the duties of the President and the executive department and the duties of the Senate.

The Senator from Georgia made a very able argument as to the desirability of the Senate being able to reconsider its action on a nomination after it had been confirmed. I agree with everything he said about that. I agree with what the Senator from Montana said in explaining how the rule came to be changed so that, before the Senate could reconsider, the papers must be sent for and be brought back here from the other House or from the White House. That is certainly entirely reasonable; that is the way it should be. Section 3 of Rule XXXVIII is a very reasonable section, it seems to me, except possibly—

Mr. WALSH of Montana. Mr. President—

The PRESIDING OFFICER (Mr. Goff in the chair). Does the Senator from Connecticut yield to the Senator from Montana?

Mr. BINGHAM. I only have 15 minutes, and I should like to proceed, if I may.

Mr. WALSH of Montana. I simply wanted to correct a statement the Senator made.

The PRESIDING OFFICER. The Senator from Connecticut declines to yield.

Mr. BINGHAM. I should be glad to yield for the Senator from Montana to correct me.

Mr. WALSH of Montana. The rule does not say that the motion to request the return of the notification shall precede the motion to reconsider but shall accompany the motion to reconsider.

Mr. BINGHAM. I did not intend to say that the motion requesting the return of the notification should precede the motion to reconsider. I agree with the Senator entirely that the rule provides they shall go along together. We are not in dispute on that point. We are not in dispute as a matter of fact, Mr. President, over paragraph 3; at least, I am not questioning it. It seems to me reasonable, except possibly the requirement as to two days of actual executive sessions. Two calendar days might be a little more reasonable, especially if we are going to interpret the rule as the Senator from Georgia believes it should be interpreted.

The Senator from Georgia takes the extraordinary position, when the President of the United States, acting under his constitutional authority, signs and issues a commission to an officer of the Government, solemnly authorizing the officer to go ahead and perform his task, that there is a mysterious cloud over his commission—that there is a mysterious fog between the signature and the body of the instrument. Why? Forsooth, because the Senate may some day want to change its mind and reconsider its action which it had told the President it had taken in order that the President may go ahead and issue the commission. That is one of the most extraordinary theories I have heard presented on this floor, namely, that the President in issuing the commission did so with a little fog between his signature and the body of the instrument, a fog which could only be dispersed after a few days at best. As a matter of fact, Mr. President, the Senator from Georgia gave the whole case away when he stated, at the conclusion of his remarks—I wish I had the reporter's notes, but I took it down something as follows:

A simple statement from Doctor Smith that they had not done what they were reported to have done would have put the controversy at rest.

In other words, Mr. President, this is an impeachment proceeding; and if the officer whom we desire to impeach had only told the Senators and the public that he and his colleagues did not do, while in office, what they were reported to have done, the controversy would have been at rest, and nothing further would have been done about it. In other words, the Senator from Louisiana who just spoke is absolutely right when he says that we are asked, not to reconsider the confirmation of these appointees; we are asked to punish them for having done something while in office, which is in effect an impeachment; and under the Constitution we are not the body to start impeachment proceedings.

Mr. President, that little fact—that this matter might all have been cleared up if Doctor Smith had only stated that they did not do what they are reported to have done—gives the whole case away. When we see the junior Senator from Montana [Mr. WHEELER] consuming a large amount of time in telling us what splendid persons had been removed by Doctor Smith and his colleagues while in office, he gives the case away. He does not tell us that Doctor Smith some years ago did a lot of things that he should not have done, that we did not know about when we confirmed him. That would be a reason for reconsidering the confirmation. He tells us that while in office he has done something that he ought not to have done and that was contrary to the public interest. Without taking issue with the Senator at all as to whether it was proper or appropriate for these three commissioners to do what they did, I submit that they did it while in office, and that we can not remove them from office without going through impeachment proceedings or having the President remove them from office.

Now, Mr. President, just a few words in regard to the rule and its reasonableness.

It seems to me that paragraph 3 of Rule XXXVIII is entirely reasonable, except perhaps in regard to the two executive days, which might be at an unreasonable distance apart; but paragraph 4, to which we have paid very little attention, was an effort on the part of the Senate, when it made that rule, to protect the President against the very thing which has happened.

Paragraph 4 provides that we shall not notify the President of our confirmation until the time for reconsideration has passed, unless we specifically vote to overlook that rule. We can even specifically vote to overlook the rule while a motion to reconsider is pending; but in that case, I should like to point out to the Senator from Georgia, the President has received notice that he had better not go ahead too fast, because we were actually considering changing our action, even though we notified him of the action that had been taken.

Mr. GEORGE. Mr. President, may I ask the Senator a question there?

The PRESIDING OFFICER (Mr. FESS in the chair). Does the Senator from Connecticut yield to the Senator from Georgia?

Mr. BINGHAM. I have only 15 minutes, I will say to the Senator.

It seems to me that that little phrase was put in there in order to cover all possible contingencies. Otherwise, the rule becomes meaningless. It is an important rule. It is one to which we have usually paid no attention, in so far as we have notified the President almost immediately after confirmation.

The very fact that the President is notified by the Senate, the very fact that the Senate by unanimous vote overrides its rule with regard to not notifying the President until the two days have expired, seems to me the clearest kind of notice to the Executive that he may go ahead and issue a commission, and this officer may take the oath and may begin to act in accordance with the duties of his office.

I can see no other meaning of notifying the President. The Senator from Delaware [Mr. HASTINGS] asked the Senator from Georgia what the notification meant, and the Senator from Georgia endeavored to explain that it was in order that one branch of the Government might tell the other branch of the Government that they could go ahead and proceed in accordance with the Constitution; and that is true. When we notify the President that we have confirmed a man we tell the President that he may then go ahead and issue the commission, the man may take the oath, the office may be filled, and the term may begin, and that is what has happened in this case. The debate, the reasons for the request for the return of the papers, and the reasons for the reconsideration of the confirmation, all depend on an act performed by this officer or these officers after they took the oath.

In other words, Mr. President, we are asked to reconsider a nomination, we are asked to impeach a public official, for something that he has done since he took office. This seems to me very bad public policy, no matter how we may feel about the Power Trust, no matter how we may feel about the importance of the Senate carrying out its rules. The idea that we are going to do something which places a cloud on a commission after it has been issued by the President is contrary to the public interest.

Mr. BORAH. Mr. President, it is too late and it is really unnecessary, from my viewpoint, to discuss the legal proposition which is supposed to be involved in this controversy. I want to say a word upon the assumption that we can not effectuate what we desire without the cooperation of the President, but that we can do so with his assistance.

I am willing to assume for the purposes of the argument that if the President stands upon his technical position, this matter has passed to a point where we can not control it. In the light of that statement I want to say something in regard to my vote.

These officers whose dismissal caused the attempt to reconsider the vote are faithful and efficient public officers. They had a record which they had made commendable in the highest degree, and made it under very adverse and extraordinary circumstances. They were not merely officers having discharged their duties perfunctorily, and against whom no criticism could be lodged, but they were officers whose public service had been such as to attract the attention of all, whether they agreed with them or not, as to the

kind of service which they were rendering. I feel from what I have been able to gather in regard to their service that they have a very keen sense of public duty and a very high conception of the public interest, and they have courage.

I take it, Mr. President, that these commissioners who were nominated by the President and acted upon by the Senate, in part at least, had full knowledge of the record of these men. If they had approved of their service, they could have kept them. I can find no reason to assume that the commissioners reached a conclusion that these men were going out by operation of law. They went out by operation of the commission. Not only is there no affirmative authority in the statute for the contention that the law terminated their service but there is an affirmative provision in the statute, in my judgment, which precludes that construction. So these men, with the services which they had rendered, with that service within the full knowledge of the commission, were peremptorily and arbitrarily dismissed.

I will say, Mr. President, that I voted against the confirmation of two of these men, and this dismissal was no surprise to me. I said to my colleague sitting next to me while the debate was going on that in my opinion something of this kind would happen. I had no facts that I could present to the Senate and no data upon which I could ask Senators to act; but having some knowledge of the views and the previous service of these men and their conception of the problems with which they had to deal as commissioners, I entertained no doubt whatever that something of this kind would happen. I entertain no doubt whatever that it did happen through the affirmative desire of the three commissioners and not upon the idea that the law operated to exclude these men from further service.

As to the legal proposition, let us assume, as I say, that it is not within the power of the Senate at this time to oust those men from office, as it were, and to vacate the positions which they now assume to hold. I want to assume further that without the cooperation and assistance of the President this matter has passed beyond the control of the Senate. I have no right to assume, however, that the President is desirous of having these men excluded from the service; and I have no right to assume that the President is satisfied with what the commissioners did; and I can perfectly well conclude that, if he is not satisfied with the record, it is within his power to enable us to accomplish what we desire to accomplish.

It may be, as has been suggested, that this whole proceeding was in accordance with a preconceived policy and a well-understood policy and that these men, one of them who is peculiarly keen about detecting the policies of superiors, understood what the policy was and what it was to be. If that be true, Mr. President, in all probability the policy has been established in such a way that it will not be changed; but I am not going to assume for the purpose of my vote that the President of the United States desires this record to stand unchallenged and desires the commission to stand without criticism.

The President knows, and no one knows better than the President, the record which these two men have made. He knows perfectly well that they have upon different occasions stood between the public and those who were not willing to deal fairly with the public; and they have stood in that position under the severest criticism and with the probabilities that they would lose their positions for doing so. The President is entirely familiar with that; and that being true, I have no reason to conclude that the President feels other than I do—that this injustice to these men should be corrected. No one will dispute that with the cooperation of the President the confirmation of this commission can be reconsidered by this body.

While I feel that much may be said and much has been very well said, especially by the able Senator from New Mexico [Mr. BRATTON], as to the legality of this proceeding, I shall not cast my vote upon the theory that we have the clear legal right to call these papers back, because I think it doubtful. I am casting it upon the theory that another

department of the Government should be just as anxious as we to serve the public interest and will cooperate with us; and if so, the legal argument becomes immaterial.

I believe these men ought to have been permitted to remain. I believe the commission is an undesirable commission. I shall cast any vote that I can in the way of a protest against the continuance of the commissioners and the dismissal of these men. Having done what I conceive to be in the interest of the public, the full fruition of our work rests with another department of the Government.

Mr. JOHNSON. Mr. President, in common with many of my fellows I voted, when the names of the three commissioners in question were presented to us for confirmation, for their confirmation. I did so with little or no knowledge concerning the men, and with little or no information extended to me by those whom I consulted in respect to the various individuals. I did it, sir, without any particular knowledge, according to these gentlemen the presumption I would always accord men under similar circumstances.

To-day I have some knowledge upon the subject, and I think I have some information from their activities concerning the individuals, and while without knowledge and without information I voted for their confirmation, to-day, with what little knowledge I have and what little information has been derived from their acts, I will vote to recall the confirmations.

I do not do that upon the theory advanced by the distinguished senior Senator from Idaho [Mr. BORAH] at all. I do not do it upon the theory that the Chief Executive of this Nation is going to recognize, as I do, and as the Senator from Idaho does, that these men should not have been confirmed, for I believe, sir, whatever be our action, he will cling to these appointees. But there is something that is presented to me in my official capacity, and that is the vote upon the issue presented by the action of the three appointees.

In this country to-day there is the modern irrespressible conflict, a modern irrespressible conflict economic in character, and which is likewise political in character and destined to be, perhaps in the days to come, the dominant political issue. No man in this body need be told what that irrespressible conflict is. No individual who follows current events at all need be informed what that conflict is. If any man of ordinary intelligence says to-day that he does not understand that economically we are presented now with a grave question concerning hydroelectric power, that individual has little intelligence, and has read to little advantage what is transpiring. If any man in public office, any individual selected upon the Power Commission, pretends that he does not understand that the irrespressible conflict is on in this Nation to-day, he is unfit, because of his myopic mentality, to sit upon the Power Commission or hold any office at all.

We have seen, from what has been presented here, that the two warring philosophies in this irrespressible conflict are at issue. It is up to us to determine what side of that issue we take, and we need not confound that issue in the slightest degree with delicate constitutional questions, or with legal niceties concerning the rules of the Senate or with prophecies of the action of the Chief Executive.

To-day there comes to us a motion to reconsider because of the action of the three members of the Power Commission in aligning themselves on the side of the issue that some of us believe is contrary to the welfare and inimical to the interests of the people of the United States; to-day we are to vote upon that issue, and it is for each man to determine whether he be upon the one side or the other.

It is useless, in my opinion, for us to endeavor to decide how somebody else may act or what may be the attitude ultimately of some other power in this Government. Here, now, at this very time, the issue comes up to the Senate of the United States, and let us determine where we stand.

I quarrel with none upon the other side, I quarrel with no personalities on this Power Commission. I am not particularly interested because individuals have been discharged. None of these things is of paramount importance to me. The individuals merely represented one philosophy of government

and it is with that I am concerned. I do not care whether or not the rule shall be construed in the Senate or elsewhere in one fashion or in another. I do not pretend to be an expounder of the Constitution, and I have observed that those who are our greatest expounders meet with a callous indifference from the Supreme Court of the United States whenever that court passes upon their particular constructions of the Constitution.

It is not a question now of law, it is not a question now, in reality, of the rule of the Senate, except so far as it permits us to act in the fashion we do. It is not a question of what ultimately the President of the United States may do. The question now is, having learned since we acted what we did not know before, or some of us did not know before, having had demonstrated to us that these men whom we confirmed ignorantly, or confirmed without the requisite knowledge or information, are upon one side of the irrepressible conflict in the United States to-day, and stand for the so-called Power Trust; having learned that fact, where do we stand in this body upon the determination of the question to reconsider their confirmations?

If the vote be futile, if it amounts to nothing more than the registering of the position we assume upon this great national issue here and now, we ought to register our view, notwithstanding the fact that it may be ultimately determined by a court to have been of no consequence, and notwithstanding the fact that the Chief Executive or other officer shall ignore what we do.

Here, to me, is the issue, and so far as I can do so I vote against the confirmation of these gentlemen.

Mr. BROOKHART. Mr. President, it is my feeling that the Senator from California has stated the real issue in this proposition. No law and no policy of government can be successfully carried out except in the hands of men who are in sympathy with that law or that policy. What I shall have to say for a very few minutes will be relating a little history of this issue in view of the facts as I know them, to corroborate the conclusion which the Senator from California has reached.

I noticed the opinion of the Attorney General upon what was called the New River case. I called up the attorneys for the Power Commission, Mr. Lawson, the chief attorney, and later Mr. Russell himself, and I asked them if they had read an opinion upon this proposition. They told me they had, but that the Attorney General being their superior, of course, his opinion governed in the matter.

So far as I was concerned I did not regard the Attorney General as any superior, and I wanted to know the facts as to this difference of opinion. So I demanded and got a copy of the opinion of the attorneys of the Power Commission, and that opinion, I found, upon this technical question of the navigability of New River, stood exactly crosswise with that of the Attorney General.

I further found that, as a basis of the Attorney General's opinion, Mr. Bonner, the secretary of the commission, had sent over the bare statement to the Attorney General that New River was nonnavigable, and none of the facts and none of the history of that river were presented. With only that fact for consideration the Attorney General rendered the opinion that the commission had the discretion to grant a minor permit in the case of New River.

What is a minor permit? A minor permit may waive all of the provisions of the water power act except the 50-year limit. That can not be waived, but everything in reference to capitalization, amortization, and recapture by the Government can be waived under a minor permit.

For rivers which are navigable 100 horsepower is defined in the statute as minor, and here was a project which might develop 80,000 horsepower. I was informed. Some have claimed it was down as low as 9,000. But even 9,000 is no minor matter in water-power development.

Then I found that Mr. Bonner was actively engaged in preparing, with the Appalachian Power Co., papers and getting ready to put through this minor permit based upon the opinion of the Attorney General.

When I found these facts I called up the Secretary of Agriculture and found that he knew nothing about what was

going on at all. He promised me he would look into it, and did so; and I noticed the very next day that he disagreed with the Attorney General's opinion.

I likewise called up the Secretary of War and did not get him, but his office assured me he would look into the matter.

I then wrote three letters, one to each of the Secretaries—the Secretary of Agriculture, the Secretary of War, and the Secretary of the Interior—and I set out the facts of the situation. I said to them that the Attorney General's opinion was wrong, that he had not considered the facts as to New River.

I found by looking into the history of New River that that river had been actually navigated for some 75 years by various kinds of boats. I found that Congress had eighteen times appropriated money to improve its navigability. I found that the Secretary of War, under acts of Congress, had five or six times issued permits for bridges over that river because it was navigable, regulating the height of the bridges above navigation, and so forth.

I found that a dam would be constructed which would create a lake about 33 miles long, deep, and navigable for almost any kind of a boat. In the face of all that history Bonner has sent over to the Attorney General the bare statement that New River was nonnavigable and then had proceeded with feverish haste with the Appalachian Power Co. to get this minor permit issued.

Under those circumstances I said to the old Power Commission that even if they had the discretion to issue a minor permit, it should not be issued in such a case as this. The permit was not issued, and the matter was passed over to the new commission.

Then I learned—and here perhaps is the biggest vice of the whole situation—that the Alabama Power Co. had already wired in to Mr. Bonner and had asked to have canceled its old permit and take out new permits under this minor provision.

I then called the attorney for the Power Commission again and asked him what portion of the old permits would come under this change if it were permitted as provided in the opinion of the Attorney General, and he told me it would cover three-fourths of all the permits that have ever been issued by the Power Commission. Under that situation it seemed to me that here was a gigantic scheme of the power companies to grab away from the people of the United States all the restrictions which the water power act required against them, and it seemed to me that there could be no doubt that this man Bonner was promoting and aiding that inside of the commission itself.

I am glad that at least two of the Secretaries took that view and stopped that proceeding, because it meant an immense damage to the people of the United States.

Therefore, Mr. President, the issue as to Bonner is not a personal issue. In all of this conflict Bonner was on the side of the power companies, assisting them in a way that was unethical and improper, if not even worse, in the accomplishment of these things.

As against all of that movement there stood this man King the accountant, quiet, even-tempered, a plain-mannered man, earnest and determined, and always familiar with the exact facts. In front of him stood the man Russell, who was really the fighting individual in the situation. He is the one that took the brunt of the criticism. He is the one that stood up against all odds and refused to yield at all times. He was also supported by Mr. Lawson, chief attorney of the commission, who I am sure never rendered an improper opinion in reference to any of these matters. So this row that occurred in the commission was not a personal row at all. The conflict and trouble were conflict and trouble over the great policy of preserving the water power rights for the people of the United States in accordance with the law of the Congress of the United States.

I am entirely certain that Mr. George Otis Smith knew accurately the situation because Mr. George Otis Smith went to Mr. Russell, told him he was on his side of the proposition, gave Mr. Russell a speech he had made many years ago and instructed him to give it to me to influence my vote in his favor in the committee in the consideration

of the question. I do not say there was anything improper about it if it were really disclosing his intention and his attitude.

That speech was presented to me. When I first examined Mr. Smith I simply had him identify the speech that he had made because it was a very good speech in a very good tone of voice toward the proposition. But as the examination went around the table in the committee room I found a different situation to exist. I found an attitude of mind that I did not expect from what had been said to me. I reached the conclusion myself that Smith was wrong, and that was out of his own mouth because Russell had, believing Smith was right, in a proper way urged me to vote for him and for his confirmation, and yet I found that after all that was done the first act of Mr. Smith, when notice of his confirmation went to the President, was to remove the man who had backed him for this confirmation and who had backed him because he agreed with his policy. The first act of Mr. Smith was to discharge this man and notify him that he could not be reemployed in the commission.

In that situation I certainly can not under any circumstances vote to sustain Mr. Smith as a member of the commission. I believe we have the legal right to consider this matter. I think there is no doubt of it at this time. I believe it terminates the office under the law. But I care not about the legal question. If the President of the United States wants to ally himself with the big power interests of the country which are attempting to grab all of the great natural rights of the people, perhaps about all the natural resources we have left, that is a question for him to determine. But I want to say, as suggested by the Senator from California [Mr. JOHNSON], that a vote for Smith is a vote for the power companies and for their control of these interests in the United States.

Mr. FRAZIER. Mr. President, a year and a half or two years ago a lease for a power site on the Flathead Indian Reservation in Montana came up for consideration. I was interested in it because of being in charge of the Committee on Indian Affairs of the Senate and also because I was a member of a subcommittee which held hearings on the Flathead Indian Reservation and some testimony had been offered in regard to the leasing of the power site. I joined with the two Senators from Montana [Mr. WALSH and Mr. WHEELER] in asking for hearings upon the question. A hearing was granted by the former Federal Power Commission and some interesting facts came out in that hearing.

It developed among other things that a prelicense expense account of the Rocky Mountain Power Co., which had put in a bid for the power site, amounting to \$183,312.47, was under consideration. It developed during the course of the hearing and during the course of the discussion over the leasing of the Flathead power site that some objection was raised to a part of the prelicense cost submitted by the Rocky Mountain Power Co. The list was approved by the former executive secretary of the Power Commission, but was objected to by former Secretary O. C. Merrill. It was objected to by Mr. King, the accountant of the Power Commission. Then it seems that Mr. King had submitted to the solicitor, Mr. Russell, a statement of his objection to the expense account. Mr. Russell wrote an opinion stating that in his view certain accounts amounting to \$85,088.76 should not be included in that prelicense account.

Some statements have been made here during the debate that Mr. King and Mr. Russell were against the power interests, and I suppose it is considered that they were against the power interests because they demanded and held that \$85,000 of the \$183,000 prelicense expense account of the Rocky Mountain Power Co. was not legitimate. Senators may recall that as to many of the items in that expense account no statement was made and no explanation was made of what the expenses were and that there were a number of items listed as special expenses, contributions to various church organizations and other organizations in the State of Montana. Some interest money was listed and some salaries for officials of the company were included. The result was, because of the objection made by Mr. King and Mr. Russell, that \$85,088.76 of the prelicense cost was not

agreed to. When the contract for the power site was signed and approved on May 23, 1930, there appeared in it a provision which interested me and which I want to read to the Senate, being article 31 of the contract:

The licensee having submitted a claim of prelicense cost to January 31, 1929—

That is almost a year and a half before the contract was approved—

of \$183,312.47 and the solicitor of the commission having recommended the rejection of items contained therein aggregating a total of \$85,088.76—

The solicitor was Mr. Russell—

the commission and the licensee hereby mutually agree that the sum of \$98,223.71—

Being the balance or difference between the two sums—

shall be entered upon the fixed-capital account of said project and included in the statement to be submitted to the commission, in accordance with the provisions of article 32 hereof, as representing the actual legitimate investment in said project up to and including January 31, 1929: *Provided, however,* That this agreement shall not deny or affect the licensee's right within one year from and after the date of this license to submit further evidence to the commission or to any court having jurisdiction for the purpose of establishing the propriety of any part of the said \$85,088.76.

Mr. President, so far as I know, and I think I am correct in the statement, no objection was made to the \$85,000 in those accounts with the exception of the objection of Mr. King and Mr. Russell; at least they were the ones who were charged with making the objection to it. A provision is put in the contract that within a year's time evidence may be brought before the commission or before any court to allow all or any part of the \$85,000.

It occurs to me, inasmuch as Mr. King and Mr. Russell had been let out of the Power Commission employ, that it would be an easy matter for the Rocky Mountain Power Co. to come before the new commission, who know nothing about the situation practically, and produce evidence to have placed in their prelicense-cost expense account the \$85,000 which was stricken out at the suggestion of Mr. King and Mr. Russell.

I think the Senator from California [Mr. JOHNSON] and others who have connected with the power interests this recent action of the new Power Commission in discharging these two officials are absolutely correct. In my opinion, a vote on the question that is now pending is a vote either for or against the Power Trust of the country.

Mr. MORRISON. Mr. President, I do not believe that in its present posture the Power Commission will even command the respect of our country. I think it is to the very highest interest of the power industry of the country, as well as the greater interest of the public, that if it is possible the Senate should take such action as to restore, if it ever had it, the confidence of the country in the Power Commission or to destroy it.

The condition of the public mind is absolutely dangerous to the peace and order of our whole political life on account of the power issue. If there is a Power Trust in the country it ought to be destroyed, and if it is not destroyed this great body will be more responsible for it than any other group of officials in the land. I think all these great holding companies, gathering up power companies in widely scattered sections of the Republic, ought to be destroyed, and the Congress undoubtedly has the power to destroy them.

We set up this Power Commission. To the surprise, I am sure, of most of the Senate we find that we still have them, so to speak, in our hands. Before they were out of our hands, in the already irritated state of the public mind, they have so conducted themselves as to produce widespread scandal and criticism. In my judgment, after listening to all the arguments, I think that they are still in our hands; and under the rule I think we have an undoubted right to reconsider their confirmation. It does not make any difference what the President of the United States may do. If he ignores our request to send the papers back, what of it? What do we want with the papers? What good will

they do? The matter will be ended, and then we will begin anew and will do them justice. I would have them appear before the Interstate Commerce Committee and let consideration of their confirmation proceed there.

If they can explain to the satisfaction of the Senate and the country this conduct which has aroused so much criticism, very well and good. I am very much displeased by their conduct, and especially by the conduct of one of them; and yet, I still hope that I can do them justice. I believe it is for the highest interests of all concerned that the Senate reopen this matter, and require these men to go before the proper committee. Some say they will not go. I would vote not to confirm any one of them who would refuse to go before the proper committee of the Senate and undertake to explain the conduct which has so disturbed this body and the whole country.

Mr. President, of all the tribunals of the Government which ought to have the confidence of the entire country, next to the Supreme Court of the United States, I would place the Federal Power Commission. It will not have that confidence, as I said in the outset of my remarks, in the present state of affairs. If that confidence can not be restored, it seems to me, regardless of who may be embarrassed by it or what the political effect may be, we ought to be willing to remove them, if we can, and secure the appointment of men who may hope to have the confidence of the country.

In regard to the power issue, I believe we must go deeper than we have hitherto gone. What disturbs the people is not the power industry. There are many units in that industry which are respecting the law, which are serving the country honestly and well; and yet they are suffering from the prejudice and the hate created throughout the land by the activities of other units roving all over the United States and by methods, as I understand, which in many cases can not be approved, acquiring power company after power company, entering into politics, trying to corrupt our political life in many ways. I believe that the Congress must finally take away from these corporations the power which they possess. They are nothing in the world but creations of law, and we can make or kill them as the interest of the Republic may suggest.

Mr. President, from the companies that are operating adversely to the public interest, the power to do it may be taken away instead of making the effort, which can never be adequate, to regulate them. If I had the power, I would deny any company created by law the right to roam all over the United States and buy up power companies wherever they could be found and with their mighty power even challenge pure and free government in the United States.

Mr. HASTINGS. Mr. President, if the object of the pending motions affecting the confirmation of members of the Power Commission was to endeavor to destroy the confidence of the people in that commission, it seems to me that, perhaps to some extent, that object has been attained. Up to within a short while ago all that had been said with respect to this subject was based upon the legal right of the Senate to take the proposed action, but, from the course of the debate during the last hour or so, it seems perfectly clear that there is a determination to adopt the motions, whether the legal right to do so exists or does not exist. From the very beginning of this argument I reached the conclusion that the motions of the Senator from Montana [Mr. WALSH], if agreed to, would be wholly futile. I still contend that to be so; and if so, the Senate ought not to have taken a week to consider the motions and ought not now to adopt them.

The Senator from Georgia [Mr. GEORGE] a little while ago addressed himself to the rules of the Senate in their application to the pending matter. The question has been asked whether or not the rules are reasonable. It has been stated that if we admit the rules to be reasonable then we must at the same time admit that the Senate has the right to do what it is now undertaking to do. I do not concede that proposition at all. I contend that the question as to whether or not the rules are reasonable depends entirely

upon the construction to be placed upon the rules themselves. The construction I place upon the rules makes them wholly reasonable, from my viewpoint, while the viewpoint placed upon them by the Senator from Georgia makes them quite unreasonable.

Paragraph 4 of Rule XXXVIII provides that the Secretary of the Senate shall not advise the President of a confirmation until the time for reconsideration has passed, unless otherwise ordered by the Senate. Let us inquire what is the practice in the Senate with respect to nominations and see whether or not the Senate does not every day, and sometimes many times a day, otherwise order. When the Vice President or Presiding Officer says, "The Senate advises and consents to this nomination and the President will be notified," he does that without the objection of any Senator. The Secretary of the Senate thereupon notifies the President, under paragraph 3 of the rule, as he has a right to do, as it is his duty to do. Attention, however, is called to the further provision of paragraph 3, to the effect that, after confirmation, if there be a motion to reconsider, it shall be accompanied by a request to the President to return the notification to the Senate. My contention is—and it seems to me that the rule is perfectly clear in this respect—that when the Senate decides not to wait until after the two days of actual executive session have expired and otherwise directs the Secretary to notify the President, at that moment it takes its chance of losing any further control of that nomination. When the Senate, through its Secretary, notifies the President it has lost its definite control, for when it requests the President to return the notification the President may or may not return it. Just as Rule XIII, which provides that before there can be a reconsideration of a bill which has passed from this House to the other there must be a request to the other House to return it, does not mean that the other House can be compelled to return it, neither does Rule XXXVIII mean that the President can be compelled to return the notification upon the request of the Senate. As a matter of course, the President would comply with the request, except upon this one condition—namely, when the nomination has passed further along and is out of his control, as, for example, when he has issued a commission and given it to the appointee. When that has been done it has also passed out of his control, and the office belongs to the man who has been named to fill it. That is a reasonable construction of this rule. Otherwise what is the purpose of sending a notice to the President at all?

In 1835 the rules of the Senate contained no such provision as to sending notice to the President, but there was a provision in the rules at that time which clearly stated that the Secretary should furnish him a copy of the record from time to time of the executive sessions of the Senate. That practice, however, was not entirely satisfactory, and in 1873 provision was made for notice to go out by the Secretary, which was to take the place of a copy of the record being delivered to the President.

It is perfectly easy for anybody who wants to understand, and who is not prejudiced, to understand this matter. If it is desired to condemn somebody, why do it in this roundabout way? Why not present to the Senate a resolution requesting the President to remove these appointees? Why not go at it boldly and see what will happen? If such a resolution were adopted, the President could comply with it or not, just as he can comply or not with this proposed action; and I submit the President can not comply without exercising another authority which he possesses, namely, to remove these appointees from office.

Mr. JONES. Mr. President, just a word with reference to the proposition that confronts us. It has been suggested that our policy with reference to the power situation is involved in the pending motion. If I thought so, my vote would probably be different from what it will be. When the policy with reference to water power shall be determined by the Congress, if I have an opportunity to vote I will probably be found voting with my colleague and very likely with the

Senator from California; but I do not consider that the power policy is involved in this question. That is a legislative policy, which should be determined in a legislative way and upon a legislative proposal presented to the Congress. The Power Commissioners have taken an oath to support the law which we have passed, and I have no doubt they will do that. If that law ought to be changed, we should do it; the responsibility is ours, and, in my judgment, we can not shirk that responsibility by asking that these nominations be returned, nor by voting against them if they should come back. Nor should the President be censured for any action he may take, nor should any action he may take be considered as determining his policy or attitude with reference to the utilization and development of power. According to my judgment, if the President regards the law, as he will surely do, he can do nothing except advise the Senate that the matter is out of his control.

Mr. President, reference has been made to the rules of the Senate. I have not been able to listen to very much of the discussion on the pending question, but I have not heard raised the point I am about to raise. It is true we have a rule requiring a motion to reconsider to be made within two days. Almost every day, Mr. President, by unanimous consent, we set aside the rules of the Senate.

When the nominations of the Power Commissioners were confirmed we set our rule aside by unanimous consent, and the Secretary of the Senate was directed to notify the President of the confirmation of these appointees and the President had a right to accept that action in perfect good faith, and he did so. We have no right to complain. The Senate is alone responsible for the situation it is in. The President is not in any way responsible. He issued the commissions. This was the natural thing to do. The oaths were taken. These men are in office. We can not, in my judgment, remove them in this way.

The Senator from Delaware [Mr. HASTINGS] has very clearly and very succinctly stated the situation. If these gentlemen had not qualified; if, before they took their oaths and before the commissions were issued, we had sent our request to the President, even notwithstanding our waiver of the rule, there is no question but that the President would have sent back these papers, giving us a further opportunity to consider them. As I see the matter, however, he having received the notice of the Senate that was made by the setting aside and waiving of its 2-day rule, of which he knew nothing, and we having advised him that we advised and consented to the nomination of these men, he made the appointments and issued the commissions; they took the oath of office; they are officials of the United States Government, and can not be put out of office by the adoption of any motion of this kind.

It seems to me that the Senate ought to face the situation squarely; it acted hastily; it waived its rights under its own rule; it can not complain; it should not seek to fool the country and shift the blame, if blame there be, upon the President of the United States. It can not do it.

Mr. COUZENS. Mr. President, I would not take up any time at this late hour except for the fact that those who are opposed to the resolution of the Senator from Montana [Mr. WALSH] are charged with acting in the interest of the Power Trust.

I am not willing to assume that all of those who vote against this motion are back of the Power Trust, or intend to support them. I take the position which the Senator from Washington [Mr. JONES] takes, that this has nothing to do with the policy of the Federal Government in dealing with the power question.

While I am on my feet I am going to say a few words about the history of these men passing through a grilling by the members of the Interstate Commerce Committee.

When these names first came to the Senate there was considerable discussion in the committee as to how far we could go with respect to questioning them, not only as to their policies, but it was considered as to how far we could ethically go in asking them whether or not they would discharge Bonner. I think I may say, without fear of con-

tradiction, that nearly 100 per cent of the members of the committee were opposed to the retention of Bonner, and I think an equal number were in favor of the retention of King and Russell. I want to say frankly that I had no thought that these commissioners would remove King and Russell. I think they used wretched judgment in doing so; but I do not think that is the controlling factor in this matter.

After considerable discussion as to how we would find out whether these proposed commissioners would remove Bonner, it was decided that every commissioner would be brought before the committee; and they were brought from the Pacific coast and from Wyoming and other States and cross-examined by every member of the committee who desired to cross-examine them. When we got through examining each and every one of the nominees, the committee by overwhelming majority reported them to the Senate, and the Senate by overwhelming votes confirmed them.

We discovered nothing against these men; and now, after they have been confirmed and have gone through the usual procedure, they have done something which I believe the majority of us believe should not have been done. I believe it should not have been done; but I am not willing to be a party to recalling them because they have committed one act with which I do not agree. Neither am I willing to say that because they have done this one thing, they are tools of the Power Trust.

After they had done this act, which most of us disapprove, Messrs. Smith and Garsaud came to my office and we discussed the matter. I told them, as frankly and as boldly and with as rough language as I possibly could, what I thought of their conduct. They submitted to me this memorandum as to what they had issued. The memorandum says:

To the civil-service employees:

In connection with the organization of the Federal Power Commission as provided in the act of June 23, 1930, it is understood that your services automatically terminated on December 22 with the going out of existence of the commission under which you have been employed.

That is the first paragraph.

The second paragraph says:

In line with the authority contained in the above-mentioned act, the commission will proceed to appoint such officers and employees as are necessary in the execution of its functions as soon as it can be determined what personnel is required. In the meantime the Civil Service Commission has been requested to authorize your temporary employment for not exceeding 30 days.

The notice containing the first paragraph was the one that was handed to these three men—Bonner, Russell, and King. The one containing the second paragraph was handed to all the other employees. So that it was evidence to the three employees under discussion that their service was terminated; but to other employees it was evidence that the commission was going to continue them for 30 days by requesting the Civil Service Commission to permit it.

It is my judgment that those who are raising this issue are doing a great disservice to those of us who believe in Government operation of Muscle Shoals and those who believed in the passage of the Boulder Dam proposal. I do not believe that we can successfully operate any utility if we are going to have interference like this interference in the actions of authorities appointed for the purpose of executing the will of Congress.

I take no second place to any man in this Chamber or in the United States in my opposition to the Power Trust, nor in my opposition to the President, if necessary. I do not take second place in my abhorrence of crookedness and dishonesty in government; and I am not willing that this vote shall be taken with the imputation that those who vote against the Walsh resolution are the tools of the Power Trust, or the tools of any other big interests. Neither am I willing to say that the President of the United States, who appointed these men—and who, I hope, will insist upon their remaining in office—is a tool of the power interests. I think that is an absurd and unfair position to take.

I have been in many issues in this body with the group who are now opposing the retention of these commissioners.

I should be one of the first to endeavor to remove or stop the pay of any commissioner who followed the procedure outlined by Bonner, but I am not willing to prejudge their conduct just because they have removed two men who we believe ought not to have been removed.

I do not desire, therefore, to take up the time of the Senate to discuss the legal phases of this matter, although I believe it is out of our hands. The President believed so, the commissioners believed so, and I believe so. I hope no one will take it for granted that those who vote against the Walsh resolution are in any manner tied up to any Power Trust or any other trust, or believe in special privileges. I hope that if this resolution passes—which, I am informed, it is likely to do—the President will refuse to return the papers.

The PRESIDING OFFICER (Mr. Fess in the chair). The question is on the motion of the Senator from Montana [Mr. WALSH].

Mr. WALSH of Montana, Mr. SMOOT, and others called for the yeas and nays, and they were ordered.

Mr. LA FOLLETTE. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll to ascertain the presence of a quorum.

The Chief Clerk called the roll, and the following Senators answered to their names:

Ashurst	Dill	Kendrick	Robinson, Ind.
Barkley	Fess	King	Sheppard
Bingham	Fletcher	La Follette	Shipstead
Black	Frazier	McGill	Shortridge
Blaine	George	McKellar	Smith
Borah	Gillett	McMaster	Smoot
Bratton	Glass	McNary	Steck
Brock	Goff	Metcalf	Steiwer
Brookhart	Goldsborough	Morrison	Thomas, Idaho
Broussard	Gould	Morrow	Thomas, Okla.
Bulkley	Hale	Moses	Townsend
Capper	Harris	Norbeck	Trammell
Caraway	Harrison	Norris	Tydings
Carey	Hastings	Nye	Vandenberg
Connally	Hawes	Oddie	Wagner
Copeland	Hebert	Partridge	Walcott
Couzens	Heflin	Phipps	Walsh, Mont.
Cutting	Howell	Pine	Watson
Dale	Johnson	Ransdell	Wheeler
Davis	Jones	Reed	Williamson
Deneen	Kean	Robinson, Ark.	

The PRESIDENT pro tempore. Eighty-three Senators having answered to their names, there is a quorum present.

Mr. WALSH of Montana. Mr. President, a parliamentary inquiry. Three motions are pending, the first referable to Mr. Smith, the second to Mr. Garsaud, and the third to Mr. Draper. I suppose the votes will be considered in that order, and the question before us now relates to the reconsideration of the confirmation of the nomination of Mr. Smith.

The PRESIDENT pro tempore. Without any reference to the unanimous-consent agreement, it is within the province of any Senator to demand that the motion be divided.

Mr. WALSH of Montana. I was not speaking about a division. I did not understand that anyone had requested a division. I was speaking about the order of voting. The voting will now be upon the reconsideration of the confirmation of the nomination of Mr. Smith?

The PRESIDENT pro tempore. The commissioners are named in the unanimous-consent agreement in the order given by the Senator, and therefore the first vote will be upon the matter of reconsidering the confirmation of the nomination of George Otis Smith. The yeas and nays have been ordered.

Mr. BINGHAM. Mr. President, a parliamentary inquiry.

The PRESIDENT pro tempore. The Senator will state it.

Mr. BINGHAM. May the motion be divided so that the first vote will come on the request to ask the President to return the papers?

The PRESIDENT pro tempore. Under the unanimous-consent agreement the vote must come upon the reconsideration of the vote whereby the nomination of George Otis Smith was confirmed. The yeas and nays have been ordered, and the clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. GILLET (when his name was called). I have a general pair with the senior Senator from North Carolina [Mr. SIMMONS], who is absent. Therefore I feel obliged to withhold my vote. If permitted to vote, I would vote "nay."

Mr. ROBINSON of Indiana (when his name was called). I have a general pair with the junior Senator from Mississippi [Mr. STEPHENS]. I am unable to obtain a transfer, and in his absence I withhold my vote. If permitted to vote, I would vote "nay."

Mr. MORRISON (when Mr. SIMMONS's name was called). My colleague [Mr. SIMMONS] has a general pair with the senior Senator from Massachusetts [Mr. GILLET]. He is necessarily detained from the Senate, and desired that I should state that if he were present he would vote "yea."

Mr. THOMAS of Oklahoma (when his name was called). I have a pair with the junior Senator from Illinois [Mr. GLENN]. I transfer that pair to the senior Senator from Nevada [Mr. PITTMAN] and vote "yea."

Mr. WAGNER (when his name was called). I transfer my pair with the junior Senator from Missouri [Mr. PATTERSON] to the junior Senator from Arizona [Mr. HAYDEN] and vote "yea."

The roll call was concluded.

Mr. GOULD (after having voted in the negative). I have a general pair with the junior Senator from South Carolina [Mr. BLEASE]. That Senator told me yesterday that he would vote the same as I have voted. I make this statement in order to make it clear that I had a right to vote.

Mr. FESS. I desire to announce the following pairs:

The Senator from New Hampshire [Mr. KEYES] with the Senator from Massachusetts [Mr. WALSH]; and

The Senator from Colorado [Mr. WATERMAN] with the Senator from Virginia [Mr. SWANSON].

I desire also to announce that if present the Senator from New Hampshire [Mr. KEYES] and the Senator from Colorado [Mr. WATERMAN] would vote in the negative, and that if the Senator from Massachusetts [Mr. WALSH] and the Senator from Virginia [Mr. SWANSON] were present they would vote in the affirmative.

Mr. GOFF. My colleague the junior Senator from West Virginia [Mr. HATFIELD] is absent on account of illness.

The yeas and nays resulted—yeas 44, nays 37, as follows:

YEAS—44

Ashurst	Cutting	Johnson	Robinson, Ark.
Barkley	Dill	King	Sheppard
Black	Fletcher	La Follette	Shipstead
Blaine	Frazier	McGill	Smith
Borah	George	McKellar	Thomas, Okla.
Bratton	Glass	McMaster	Trammell
Brookhart	Harris	Morrison	Tydings
Bulkley	Harrison	Norbeck	Wagner
Caraway	Hawes	Norris	Walsh, Mont.
Connally	Heflin	Nye	Wheeler
Copeland	Howell	Pine	Williamson

NAYS—37

Bingham	Goff	Metcalf	Steck
Brock	Goldsborough	Morrow	Steiwer
Broussard	Gould	Moses	Thomas, Idaho
Capper	Hale	Oddie	Townsend
Carey	Hastings	Partridge	Vandenberg
Couzens	Hebert	Phipps	Walcott
Dale	Jones	Ransdell	Watson
Davis	Kean	Reed	
Deneen	Kendrick	Shortridge	
Fess	McNary	Smoot	

NOT VOTING—15

Bleas	Hayden	Robinson, Ind.	Swanson
Gillett	Keyes	Schall	Walsh, Mass.
Glenn	Patterson	Simmons	Waterman
Hatfield	Pittman	Stephens	

The PRESIDENT pro tempore. On this question the yeas are 44 and the nays are 37, and that portion of the resolution presented by the Senator from Montana is agreed to.

Mr. WALSH of Montana. Mr. President, I did not quite understand the remark of the Chair about some portion of the resolution.

The PRESIDENT pro tempore. The motion has been divided into three separate votes, one on each of the three commissioners.

Mr. WALSH of Montana. What was the vote?

The PRESIDENT pro tempore. The yeas were 44 and the nays were 37.

Mr. WALSH of Montana. On what portion of the motion?

The PRESIDENT pro tempore. The portion of the motion already agreed to is that providing for the reconsideration of the confirmation of Mr. George Otis Smith.

The Chair now holds that the next question will be on recalling the resolution of confirmation as regards Mr. George Otis Smith. [Putting the question.] The Chair is in doubt.

Mr. HARRISON. I ask for the yeas and nays.

The yeas and nays were ordered, and the Chief Clerk proceeded to call the roll.

Mr. GILLET (when his name was called). I repeat the announcement of my pair with the senior Senator from North Carolina [Mr. SIMMONS].

Mr. ROBINSON of Indiana (when his name was called). Being unable to obtain a transfer of my pair with the junior Senator from Mississippi [Mr. STEPHENS] I withhold my vote. If permitted to vote, I would vote "nay."

Mr. THOMAS of Oklahoma (when his name was called). I have a pair with the junior Senator from Illinois [Mr. GLENN]. I transfer that pair to the Senator from Nevada [Mr. PITTMAN] and vote "yea."

Mr. WAGNER (when his name was called). I transfer my pair with the junior Senator from Missouri [Mr. PATTERSON] to the junior Senator from Arizona [Mr. HAYDEN] and vote "yea."

The roll call was concluded.

Mr. FESS. I desire to announce the following pairs:

The Senator from New Hampshire [Mr. KEYES] with the Senator from Massachusetts [Mr. WALSH]; and

The Senator from Colorado [Mr. WATERMAN] with the Senator from Virginia [Mr. SWANSON].

I desire also to announce that if present the Senator from New Hampshire [Mr. KEYES] and the Senator from Colorado [Mr. WATERMAN] would vote in the negative, and that if the Senator from Massachusetts [Mr. WALSH] and the Senator from Virginia [Mr. SWANSON] were present and voting they would vote in the affirmative.

Mr. MORRISON. I wish to state that my colleague [Mr. SIMMONS] is necessarily detained from the Senate. If present and not paired, he would vote "yea."

Mr. GOFF. My colleague, the junior Senator from West Virginia [Mr. HATFIELD] is absent on account of illness.

The yeas and nays resulted—yeas 44, nays 37, as follows:

YEAS—44

Ashurst	Cutting	Johnson	Robinson, Ark.
Barkley	Dill	King	Sheppard
Black	Fletcher	La Follette	Shipstead
Blaine	Frazier	McGill	Smith
Borah	George	McKellar	Thomas, Okla.
Bratton	Glass	McMaster	Trammell
Brookhart	Harris	Morrison	Tydings
Bulkley	Harrison	Norbeck	Wagner
Caraway	Hawes	Norris	Walsh, Mont.
Connally	Heflin	Nye	Wheeler
Copeland	Howell	Pine	Williamson

NAYS—37

Bingham	Goff	Metcalf	Steck
Brook	Goldsborough	Morrow	Stelwer
Broussard	Gould	Moses	Thomas, Idaho
Capper	Hale	Oddie	Townsend
Carey	Hastings	Partridge	Vandenberg
Couzens	Hebert	Phipps	Walcott
Dale	Jones	Ransdell	Watson
Davis	Kean	Reed	
Deneen	Kendrick	Shortridge	
Fess	McNary	Smoot	

NOT VOTING—15

Blease	Hayden	Robinson, Ind.	Swanson
Gillett	Keyes	Schall	Walsh, Mass.
Glenn	Patterson	Simmons	Waterman
Hatfield	Pittman	Stephens	

The PRESIDENT pro tempore. On this question the yeas are 44 and the nays are 37. That portion of the first resolution is agreed to. The question now recurs upon the second portion of the motion offered by the Senator from Montana [Mr. WALSH] that the Senate reconsider the confirmation of the nomination of Marcel Garsaud. [Putting the question.] The ayes have it, and the motion is agreed to.

The question now recurs upon that portion of the motion of the Senator from Montana to request the return of the resolution of confirmation of Marcel Garsaud. [Putting the question.] The ayes have it, and the motion is agreed to.

The question now recurs upon the motion of the Senator from Montana to reconsider the confirmation of Claude L. Draper. [Putting the question.] The ayes have it, and the motion is agreed to.

The question now recurs upon the motion of the Senator from Montana to request the return of the papers in connection with the nomination of Claude L. Draper. [Putting the question.] The ayes have it, and the motion is agreed to.

EXECUTIVE MESSAGE

A message from the President of the United States submitting post-office nominations was communicated to the Senate by Mr. Latta, one of his secretaries.

REPORTS OF MILITARY NOMINATIONS

Mr. REED, from the Committee on Military Affairs, reported favorably the nomination of Col. William Sharp McNair, Field Artillery, Regular Army, to be a brigadier general from December 11, 1930, and also the nominations of sundry other officers in the Army, which were placed on the Executive Calendar.

Mr. PHIPPS. I ask that the remainder of the Executive Calendar may be called.

The PRESIDENT pro tempore. The business on the Executive Calendar will be announced.

POSTMASTERS IN PENNSYLVANIA

The Chief Clerk read the nominations of certain postmasters in Pennsylvania.

Mr. PHIPPS. I move that the nominations be confirmed en bloc and the President notified.

Mr. NORRIS. I object.

The PRESIDENT pro tempore. Objection is made. The clerk will proceed with the call of the calendar.

The Chief Clerk read the name of Charles H. Truby to be postmaster at Apollo, Pa.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

Mr. SHORTRIDGE. Mr. President, a parliamentary inquiry.

The PRESIDENT pro tempore. The Senator will state it.

Mr. SHORTRIDGE. What is going on? There is so much confusion in the Chamber it is impossible to hear.

The PRESIDENT pro tempore. The Senate is now considering the Executive Calendar under the rule.

Mr. SHORTRIDGE. We are still in executive session?

The PRESIDENT pro tempore. We are still in executive session considering the calendar under the rule to confirm certain postmasters in the State of Pennsylvania.

Mr. SHORTRIDGE. May I respectfully suggest that the Senator from Colorado ask permission that the postmasters be confirmed en bloc?

The PRESIDENT pro tempore. Unanimous consent to that end has already been asked and refused.

Mr. SHORTRIDGE. The request was that the President be notified.

Mr. ROBINSON of Arkansas. The Senator from Colorado did not ask unanimous consent. He made a motion.

Mr. PHIPPS. That is the usual procedure and never has been objected to before.

Mr. ROBINSON of Arkansas. No; the usual procedure is to ask unanimous consent that it be done.

The PRESIDENT pro tempore. The Senator from Arkansas is absolutely correct. The usual procedure is to ask unanimous consent. The Chair understood the Senator from Colorado to have asked it and unanimous consent to have been refused by the Senator from Nebraska [Mr. NORRIS]. In consequence the Chair holds that it is necessary to consider each nomination separately.

Mr. HEFLIN. Mr. President, a point of order.

The PRESIDENT pro tempore. The Senator will state it.

Mr. HEFLIN. Suppose an objection should be made by a Senator and he would afterwards change his mind when some other Senator asks for unanimous consent to consider the nominations en bloc. I think it would be in order.

The PRESIDENT pro tempore. Of course the Senate can seesaw back and forth in a matter of this sort as much as it pleases, but the Chair holds that a unanimous-consent agreement once entered into there is no recourse for the Chair except to go forward under the rule.

Mr. ROBINSON of Arkansas. I do not know of any objection.

Mr. PHIPPS. I ask unanimous consent that the remaining names on the calendar be confirmed en bloc.

Mr. NORRIS. To what does that apply? Let me hear the Senator's request.

Mr. PHIPPS. I ask unanimous consent that the names which have not already been called of postmasters in Pennsylvania may be confirmed en bloc.

Mr. NORRIS. I have no objection.

The PRESIDENT pro tempore. Without objection, the remainder of the nominations for postmasters in the State of Pennsylvania will be confirmed en bloc. The clerk will state the next business on the calendar.

THE JUDICIARY

The Chief Clerk read the name of Lynn Smith, of Alaska, to be United States marshal, division No. 4, District of Alaska.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

COAST GUARD

The Chief Clerk announced sundry nominations in the Coast Guard.

Mr. McNARY. Mr. President, I ask unanimous consent that nominations in the Coast Guard may be confirmed en bloc.

The PRESIDENT pro tempore. Is there objection? The Chair hears none, and they are confirmed. Proceeding under the practice which the present occupant of the chair has always followed, without objection, as to all nominations and confirmations this day made the President will be notified.

Mr. ROBINSON of Arkansas. I object.

Mr. NORRIS. I object.

The PRESIDENT pro tempore. Objection is made.

EXECUTIVE MESSAGE REFERRED

The PRESIDENT pro tempore laid before the Senate a message from the President of the United States, submitting sundry post-office nominations, which was referred to the Committee on Post Offices and Post Roads.

LEGISLATIVE SESSION

Mr. McNARY. I move that the Senate proceed to the consideration of legislative business.

The motion was agreed to and the Senate resumed legislative session.

WATERWAYS AND RAILWAYS

Mr. RANDELL. Mr. President, I have here an address by the junior Senator from Iowa [Mr. BROOKHART] and an address by Mr. Samuel O. Dunn, editor of the Railway Age, of Chicago, both delivered before the National Rivers and Harbors Congress at its meeting at Washington, D. C., December 10, 1930. I ask unanimous consent that these addresses be printed in the RECORD.

There being no objection, the addresses were ordered to be printed in the RECORD, as follows:

AN ADDRESS BY HON. SMITH W. BROOKHART, UNITED STATES SENATOR FROM IOWA, BEFORE THE NATIONAL RIVERS AND HARBORS CONGRESS, WASHINGTON, D. C., DECEMBER, 10, 1930

Gentlemen, I am glad, indeed, you invited the representatives of the railways to present their side of this question. Nothing is lost by hearing the other side of any proposition. I am also glad that Mr. Dunn so frankly admitted that he was the "hardest boiled" of the railway propagandists and I can assure you that, after 25 years' experience with his railway economics, I can testify to the absolute truth of that statement.

Now, I notice his claim that the railways are drifting toward disaster. How familiar that sounds to me! I heard that first away back in 1906. That was the song that was sung when we started out to get the law for the regulation of the railways, the Roosevelt regulation proposition; the railways were going to disaster and the railways were getting into trouble and their credit was being destroyed. I heard that same song when we went before the commission later, after the law was enacted, to reduce some three or four million dollars of railway discrimination against my own State. I heard that same song again when they came with the advanced-rate cases and wanted to raise them 10 or 5 or 15 per cent. All the time they came with that tale of the railroads facing disaster. Well, I remember in one of those cases where Clifford Thorne—and here is one of his men here now—worked up a statement of their railroad credit and compared it with the Government of the United States for 15 years, and it was a little bit steadier, a small fraction steadier, than the

Government of the United States itself—and has been during all those years of howling railway calamity.

Now, this fight is with the railways. As Mr. Moore said here, they are fighting us, but I have been a soldier a little myself and I always defend by counterattack; I do not stand still and let the other fellow do all the advancing. I am going to tell you something about the other side of this railway proposition.

Now, where are the calamities in this country? Who is it that is suffering under this economic situation at the present time? A million and a half farmers in the United States since 1920 have lost their homes or property as the result of this economic situation, and from 10 to 25 per cent of the cause of that was due to excessive railway rates in the United States. Agriculture has been in a constant state of depression. Its capital has been depleted more than the book value of all the railways in the whole United States in that time, and the railways have been contributing to that by their extortionate rates; they have been contributing a large percentage toward that situation.

I am not going to stop either by telling you that their rates were extortionate in general terms. That don't mean anything. I want to give you some of the facts: I was helping to prepare a law that was to be the transportation act of 1920, but the law I was preparing was something like what the Canadians have done with their railways, and then, all at once, the author of that law changed front entirely and took a law that the railways themselves wanted—the Davies-Warfield bill. I was in conference over it many times before it was finally adopted as the Esch-Cummins bill, and that is the bill the railways themselves were proposing. So this 1920 transportation act is their law and not our law.

That law gave to the Interstate Commerce Commission a command, first, to fix the value of the railroads and laid down the rules and regulations for doing it; and the commission, starting about the 1st of March—the law was passed the 1st of March, 1920—and completed its job about the 1st of September and fixed the value at \$18,900,000,000, and, at the time that value was fixed, the market value of the same railroads, as shown by the quotations of their stocks and bonds on the stock exchange, where they listed them for sale and did sell them to you or anyone else who would buy them, was about \$11,750,000,000. I have the first statement of that market value from C. W. Barron at twelve billions and Theodore Price at about the same and there is no doubt about that being the situation as to the market value of the railways, and yet, by the terms of this law, they sold these roads to the people of the United States for \$18,900,000,000, with more than \$7,000,000,000 of water in that valuation; and then, after doing that, the command went into the law directing the Interstate Commerce Commission to levy rates on the people of the United States high enough to pay, first, all operating expenses—that includes all those taxes they complain about—and over and above all those expenses pay a return, first fixed at 6 per cent and then at 5½ per cent, on all of that value, water and all.

Now, is 5½ per cent a reasonable return for a railroad investment? Do you know what the return of this United States is? Do you know what we are producing in new wealth in the United States every year, after we have our living and the expenses of our industry paid? I have an estimate of it here: The census estimate from 1912 to 1922 shows it is about 5½ per cent a year, but in 1922 the war inflation had not all been squeezed out yet—most of it in agriculture had been, but not in other businesses—so the National Industrial Conference Board estimates it up to 1928, and these latest figures are the ones I am quoting. They are the latest I have, and going up to that date it is reduced back down to 4¼ per cent.

When you take the whole history of the United States, from the signing of the Declaration of Independence down to the present date, we have produced less than 4 per cent of new wealth each year. If all we produced in this country were given to capital alone, and it were evenly distributed then, throughout the history of the country, we would only get a return of a little less than 4 per cent.

Have we a right to come in by law and prescribe rules and regulations and rates of return for capital in railways that will give them 5½ per cent upon \$7,000,000,000, even of water? Have we that right when the American people can only produce 4 per cent, or about that, a year? If there is any business in this country that reaches out to all the people that ought to parallel the average earnings of the country, it is the railway business. And they have collected off of us on that item a large amount, although they did not collect all under that guaranty of the law. They do not like me to call it a guaranty, because they say it is not; it is only a command of the law to get the return above the operating expenses. Therefore, they say it is no guaranty.

Of course, it was not any guarantee that the money would come out of the Treasury of the United States; it was a guarantee that it would come out of the pockets of the people; that is a lot nicer guarantee I presume. But it commanded the commission to get it out of your pocket. They did not get it always. The reason was that you did not have enough to pay it. I think that not only the farmers were unable to pay their share but a million and a half lost out in this economic situation. That is only one item in this railway situation.

Now, then, as to the supplies of the railways: The rails, the cars, the locomotives, about everything they use is furnished to them by some inside corporation owned and operated by the same big men operating the roads; and when they sell those things to a railroad they never sell them at the lowest prices they can afford to sell them to a railroad but at the highest prices

they can collect out of your pockets under the guarantee of the law, because all the wear and tear and depreciation goes into operating expenses, and you pay it all. So there is two or three hundred million dollars more of excess profits over and above this 4 per cent that the American people can produce, and that is taken in railway rates that way. Now, that is not all either. There is the waste of competition. They have admitted this. Edward Dudley Kenna, of the Santa Fe, in his book said that the waste of competition in the United States was more than \$400,000,000 a year, and yet they collect that, too, in their system.

The capitalization of unearned increment amounts to another two or three hundred million dollars per year. So when we get down to actual facts there is more than a thousand million dollars a year taken from the people of the country to sustain the railways since the Esch-Cummins Act became law, to pay a return on this \$7,000,000,000 of legalized subsidy given them, together with these other items.

You know about the public lands, of course. There were 158,000,000 acres—that is about as much land as there is in the entire State of Texas; it is an area four and a half times as big as Iowa—and Mr. Dunn figured out there was a \$50,000,000 benefit to the United States in offsetting of that subsidy here to-day. But that is not all the subsidy. Here is another one in this railway law; this was out of the Treasury of the United States.

This law guaranteed the war-time profits for the first six months after March 1, 1920, and that was to be paid out of the Treasury of the United States if the rates did not produce it. And then what happened? Well, I have what happened right here; here it is, a whole volume of it. It is told by the railway employees before the committees of the Congress of the United States.

First, during this Government operation they padded their expenses by several hundreds of millions of dollars and they did it for the purpose of discrediting the Government of the United States in the operation of the railways. I do not hesitate to make that charge anywhere and I have the testimony of the railway employees by the thousands to prove it anywhere. There is no doubt of it.

Well, after getting this guaranty, after preparing and padding all these accounts for two years and two months, then they got this railway law with this guaranty for the war-time profits for six months. The reports to the Interstate Commerce Commission show they increased the operating expenses \$1,485,000,000 more in 1920. That is the year of this six months' guaranty. That is nearly a billion and a half dollars.

Perhaps four or five hundred millions of that they can charge to increased wages, but the balance of it can only be charged to every kind of graft known to the science and art of grafting, to get subsidies out of the Treasury of the United States. Well, they got it. That made a deficit. That made a deficit of \$529,000,000. Think, \$529,000,000! And we wrote checks on the Treasury of the United States and paid it as a subsidy to the railways to guarantee, not their losses, not their damages—we paid all that two or three times over, too—but to guarantee their war-time profits, and that during a period that ended almost two years after the war was over.

Now, under that situation, do you think that a railroad has any business to go around to the farmer and say: "You shall not get cheaper transportation by water," and shall not have the Government establish a subsidy to build that waterway after taking all those things from the Government itself and getting a law that gives them, by its operation, a \$7,000,000,000 subsidy in value. That, I say to you, is the last argument that they have any right to make against us, that subsidy argument.

Now, let us see; I want to meet these points. The railroads reduced their employees. Yes; and the capital in the railroads got the benefit and not the employees.

Then he said they had the lowest return in 35 years. That was on passenger business, I believe he said. But how has it been during all the years gone by? We are in this period of depression brought on by all these special privileges given to the railroads and other industries, and they always took the particular time that is bad and presented that to you instead of taking a series of years. I never, in the rate cases or anywhere else, saw them present in a picture of railway economics, a fair analysis of the whole situation over a period of years; they always doctored and fixed things up, and in the end it is so intricate that the ordinary person can not figure out and detect the plan they use; but here it is: He says they only got 3½ per cent on their property investment. Well, the whole American people got only 4¼ per cent, and that figures everything to capital and does not allow any proper share to labor, invention, genius, management, or anything else. Three and one-half per cent would be about right if it were on an honest value, but it is on a value that is 40 per cent, probably, higher than it ought to be, and you can figure that out as being about 7 per cent, or 3 per cent more than the American people can get as a return on all their capital.

Now, what about the busses? You are not concerned directly with that. But I don't want the railway monopoly to have control over the busses. I want to see them develop as an independent system, too, and if it can handle this transportation cheaper for all the people it is entitled to do it. Perhaps the kind of competition that will come will bring the railways to realize that in the end they will be compelled to take the water out of this capitalization and to take out these excess profits of their favorites—inside subsidiary companies—and when these things

are done then I will be ready to consolidate them and stop the waste of competition, that other gigantic item also.

Now, about taxes: First, what a terrible thing are taxes. I looked in the report the other day and I saw the railroads of the United States are paying about 7 per cent, \$7 out of \$100, of their gross income in taxes. Then I looked into agriculture, and I found that they were paying about \$28 out of every \$100 of gross income, and I am ready to present to the Congress of the United States some cases showing the grossest attempts to avoid taxation by a crowd of the biggest railways in the United States. There is something to be said about that. The whole story is not near told of taxes.

Now, about the cost again. Mr. Dunn frankly admitted that the cost of ocean and lake transportation is less than the cost by rail. And it is less, and very much less. I have here his Bureau of Railway Economics book. This is the method they have always followed when they set out to fight us on these various propositions, and it leaves out the cost of the lake traffic and the ocean traffic. It is not in here. It looks to me as if there ought to be room enough in this book for that. How about all these rivers? There is only one river in the whole lot that is really completed; that is Monongahela, and when they come to give the figures of the cost of the Monongahela River they tie it into the whole Ohio River, and that was not completed until recently, and, of course, the traffic is not developed.

And another thing, our Inland Waterways Corporation has not been allowed to operate on the Ohio River. I think we will have to get them permission to do that, too. [Applause.] And take all these other propositions, all these figures he has given here, and there is not a one of them that is given for a fully developed situation, with a big volume of traffic such as it will be when the work is completed and the traffic developed.

Therefore these figures are valueless, and while I concede that inland transportation may be higher in cost than transportation on the Great Lakes—that, however, will depend again on the volume of traffic—yet, nevertheless, when we get all the development we will find that our waterway traffic will be less in cost than the rail traffic, even on their fantastic theory. They would not fight us so hard if that were not true. They know it is true. They figure up a lot of these imaginary things that they say are part of the cost of the inland waterways transportation.

I shall not take the time to-day to figure up the extent of all the expenses of the railways, either. I remember that not long ago 40 per cent of the railways in the United States were in the hands of receivers, all at one time. What happened in that case? All the little stockholders who paid in their millions and hundreds of millions of dollars were thrown out, and that is one of the hidden expenses of the operation of the railroads that is hidden down deeper and crookeder than any taxes that the railroads have to pay in any development.

Mr. WEBBER (interposing). What about the express companies and the telegraph companies?

Senator BROOKHART. Let me tell you about that. I missed the express companies and I missed the telegraph companies. They all come in under these subsidiaries of the railways, and the Pullman Co., the refrigerator cars, and the oil-tank cars. There is no end to this thing. I did not come down to tell you the whole story because that would take too long. I came only to tell you a few of the high spots in it. All of these companies are dipping out of the railroad business three or four times this 4 per cent that the American people can produce.

I want to say in conclusion to the railways of the United States: If you can not operate your roads in competition with the lower rates of the inland waterways, your Uncle Samuel can. [Prolonged applause.]

AN ADDRESS BY SAMUEL O. DUNN, EDITOR RAILWAY AGE, CHICAGO, ILL., BEFORE THE NATIONAL RIVERS AND HARBORS CONGRESS, WASHINGTON, D. C., DECEMBER 10, 1930

Mr. President, gentlemen of the River and Harbor Congress, I am probably the most hardened of railroad propagandists to which you have heard allusions made this morning. I confess that I hesitated about accepting the invitation to come here because of known differences of opinion, but I recalled that about 12 years ago I accepted an invitation to address this body upon the subject of Government ownership of railways and that, whether the address did any good or not, I was listened to with the utmost courtesy, and I appreciate greatly the honor of being invited to "play a return engagement."

You represent the advocates of all forms of waterway development. Transportation on the ocean and the Great Lakes is much cheaper than by rail, and I agree with those who believe that our harbors should be developed to make these deep waterways as useful as possible. I entirely disagree with those who believe that a vast expenditure of public money for the development of an extensive system of rivers and canals is desirable. I hope before I finish briefly to discuss that question, but, first, I wish to say something about a transportation problem that far transcends in importance the question of waterways. Our most important means of transportation, the railways, are drifting straight toward disaster. If you do not believe it, investigate the facts yourselves. Three former members of the Interstate Commerce Commission recently have said that the situation of the railroad industry, considering both present and prospective conditions, is the worst in history. I agree with that statement.

I have never heard or read a recent discussion by any prominent advocate of inland waterways, from President Hoover and Secre-

tary of War Hurley down, who has not conceded and emphasized that the railways must, for a long time, be the "backbone of our transportation system." Most or all of you are more dependent upon the railways for transportation service than you are, or for years will be, upon all other means of transportation.

It is often said that we must consider all our means of transportation as a single system, develop and maintain the strength of all of them, and coordinate them in order to get the best results. It is obvious that, in any such program, the effects upon the railways of the public policies adopted must be considered.

The percentage of return earned upon their investment by the railways this year will be, excepting in 1921 and the years when the war-time guaranties were in effect, the smallest for 35 years. This will be in spite of the fact that such drastic retrenchments have been made that the number of their employees in September was 262,000 less than in September 1929 and thus far this year has averaged less than in any year since 1909. What is of even more importance is that, in view of experience during the last decade, the railways can not look forward with confidence to any such large increase in their traffic, when business revives, as enabled them to recover their earning power after past depressions.

Both the Association of Railway Executives and the principal railway labor organizations, including especially the five great train-service brotherhoods, recently have adopted resolutions urging changes in the Government policies now being applied to the railways, under which competing means of transportation are subsidized without being subjected to the same kind of regulation that the railways are, and, as a result of which, large amounts of traffic are being diverted from the railways and many thousands of railway employees in all parts of the country are being thrown out of work.

Since the middle of this year the railways, as a whole, have spent less upon the maintenance of their properties than in any year since 1917. Although they have made such drastic retrenchments, they have earned at the annual rate of only 3.5 per cent upon their property investment.

None of you will believe that the Interstate Commerce Commission would exaggerate the gravity of a situation which has been created largely by its own policy. Allow me, therefore, to read you some extracts from the annual report of the Interstate Commerce Commission for 1930, which has just been made public. The commission recites that, in the first eight months of this year, the net operating income of the railways available for interest and dividends declined \$273,000,000, or nearly 33 per cent. Then it proceeds:

"If railway finances were suffering only from the fact that a recession in business is being experienced as in other industries of this country and of the world, it might be sufficient to point out that, in judging of railway income, one should in fairness consider the good and bad years together. But a different and more threatening financial difficulty confronts the railways. This is the effect of the competition of other forms of transportation."

Having called attention to the fact that railway passenger earnings in 1929 were \$414,000,000 less than in 1920, the commission continues:

"The prospect of a continued expansion in freight business to offset the further loss in passenger business is darkened by the competition of water lines, pipe lines, and trucks, and by changes that may check the growth in demand for ton-mileage, such as economy in the use of coal, changes in the location of industry, and the relatively slower growth of transportation."

The present condition of the railways is, of course, largely due to the prevailing business depression. It is only partly due to that cause, however. A revival of general business will not solve the railroad problem. It can be solved under private ownership only by relieving the railways of influences which, throughout the 10 years the transportation act has been in effect, have prevented them from earning anywhere near a fair return, even when general business has been extraordinarily good, and the full destructive effect of which upon earnings has become manifest only since the depression came.

The most important of the adverse influences to which I refer are, first, the rate-regulating policy of the Interstate Commerce Commission, and, second, the competition of Government-aided means of transportation.

The transportation act of 1920 directed the Interstate Commerce Commission to so initiate, modify, and adjust rates as to enable the railways under good management to earn a fair return. As the railways, since rates were reduced in 1922, have constantly earned less than a fair return, it has been the commission's duty under the law to adjust rates upward. It has not performed that duty, and average revenue per ton-mile has constantly declined.

In addition to a policy of regulation of rates which has disregarded the constitutional rights and economic needs of the railways, they have been suffering throughout the last decade from huge losses of passenger earnings and from a startling decline in the growth of their freight traffic. From 1890 to 1900 their freight business increased 86 per cent; from 1900 to 1910, 80 per cent; from 1910 to 1920, 62 per cent; from 1920 to 1929, less than 9 per cent.

The enormous decline of passenger business and the great reduction in the growth of freight business have been largely due to Government policies which have resulted in the railways being completely denied equality of opportunity in competing with other means of transportation. Motor coaches and trucks have been able to make low rates because they have been allowed to use highways built at public expense without being required to pay any-

where near enough for their use to reimburse the public for the cost they have caused it.

The number of motor busses increased 820 per cent between 1920 and 1929. Motor trucks have increased in size and resorted to the use of trailers, until we now have, all over the country, what are virtually trains operating on highways, which are not only taking huge amounts of traffic from the railways but are destroying the highways and making difficult and dangerous their use by private motor vehicles.

During the period of nine years ending with 1929, when railway freight business increased less than 9 per cent, the number of registered motor trucks increased 236 per cent. Competition of steamships using the Panama Canal has rapidly increased in severity, and from 1921 to 1929 the tonnage handled through the canal increased 637 per cent. Between 1920 and 1929 the number of tons handled on inland waterways, exclusive of the Great Lakes, increased 94 per cent.

The Government, by taxation of the public, has provided other means of transportation with subsidies that have enabled them to compete so effectively with the railways. Meantime the railways are subjected to regulation of rates which further cripples them in meeting competition. The rates of ocean carriers operating through the Panama Canal are not regulated, and at the same time the railways are denied the right to make low rates to the Pacific coast to meet water competition. Carriers by both highway and waterway are allowed to practice any discriminations they please between shippers and communities in making rates, while the railways are required to publish and maintain their rates without discrimination.

To avoid immediate financial disaster many of the railways are resorting to retrenchments in maintenance such as could not long be continued without most serious effects upon the condition of their physical properties. In spite of their retrenchments many of them are earning so little net return that their credit is being seriously undermined. If their physical properties get into bad shape and their credit is so seriously damaged that they can not raise new capital, the resulting deterioration of their service will cause very heavy losses to every branch of industry and commerce in this country.

What needs to be done to arrest this drift of the railroad industry toward disaster and to enable it to continue to render good service? The railway executives of the country have given a great deal of very serious study to that question and at a recent meeting in New York agreed upon a statement of the policies that they believe must be adopted by our State and National Governments to meet this situation. The substance of the policies enunciated by them is that competing means of transportation should be treated as the railways are, in order that the railways may be able to compete with them on equal terms.

Now, I am not here to contend that the present very serious and threatening condition of the railroad industry is a reason for stopping the development of other means of transportation. What I do contend is that our Government policies should be so changed that every means of transportation will be forced to pay out of its earnings all the costs directly or indirectly incurred in rendering its service, and that they shall all be similarly regulated, in order that all transportation service, whether passenger or freight, shall be rendered by that means which can handle the traffic at the lowest total economic cost, allowing for differences in the speed, reliability, and other qualities of the service rendered. I do not think any man here would publicly contend that the Government should use its regulating power and the money of the taxpayers to divert from the railways to other transportation agencies traffic that the railways can handle at a lower cost than these other agencies.

One of the principal arguments formerly advanced for the development of inland waterways was that it was impossible to expand the railways sufficiently to handle our increasing traffic. During the first 90 years of their history the principal problem of the railways was that of sufficiently expanding their facilities to handle a rapidly growing traffic. The average annual increase of railway freight business during the nine years ending with 1929 was only one-third as great as the average annual increase throughout the preceding 30 years, and there are no conditions or tendencies that warrant the belief that there will be any need in the future for development of waterways to relieve the railways.

Nobody can deny that better freight service can be rendered by rail than by rivers and canals. Therefore, the crucial test of the desirability of extensive development of inland waterways is whether they can provide cheaper transportation than the railways. It is often said that waterways can handle bulky commodities at lower cost, and that the railways should be relieved of handling them and left to handle only more valuable classes of commodities, from which, it is said, they derive more profits. It happens, however, that it is from the transportation of bulky commodities that the railways actually derive their largest profits, because of their heavy loading per car. Furthermore, it is not true that inland waterways can carry bulky commodities cheaper than railways, if all the costs of water transportation be considered.

I contend, without any hesitation, that all kinds of freight can be handled more cheaply by railways than by inland rivers and canals. The only cost paid for the transportation of freight by rail is the freight rate charged. The cost of transportation by inland waterway is divisible into two parts. The first is paid by the public in taxes and consists of interest upon the investment made in improving the waterway and building terminals, and

the expense of maintaining them. The second consists of the rates paid by shippers.

Now, on sound principles of economics, what should be our objective? Should it be to reduce freight rates entirely regardless of the effect on taxes? Plainly, if the development of waterways will result in reductions of freight rates, it will also result in increases of taxes. As taxes in this country are twice as great as railway freight earnings, I can hardly believe anybody would contend that taxes are so unimportant, and freight rates so important, that the national prosperity would be promoted by securing a saving of freight rates at the cost of a larger increase in taxes.

How, then, do the total costs of transportation by inland waterways and by railways in this country compare, and how may we reasonably expect them to compare in the future? For many years we have been improving inland waterways and actually have had transportation by both water and rail. There is an abundance of information regarding costs of rail transportation, but, in spite of all the claims made, remarkably little reliable and satisfactory information regarding costs of inland water transportation. For many years estimates have been given to Congress and the public regarding proposed waterway improvements, including the traffic that would be handled, the expense of improving and maintaining the waterways, and the savings in transportation costs that would result, but those who have made these estimates seldom have come forward after the money has been spent with clear and conclusive evidence regarding the results attained.

For more than 20 years I have studied such data as have been available regarding comparative costs of transportation by rail and inland waterway in this and other countries. Every figure at which I have ever arrived has convinced me more strongly that the total cost of transportation by inland waterway is almost invariably higher than by rail. The Bureau of Railway Economics, which is maintained by the railways, but which is generally recognized as an organization whose statistical studies are made with the utmost care, recently has completed and published an exhaustive comparative study of rail and inland waterway costs in this country, which strongly supports the views I have expressed for years. Some of its conclusions are as follows:

In 1929 the average total cost of carrying a ton of freight 100 miles on the New York State Barge Canal was \$1.94, made up of 45 cents as the boatmen's actual charge for transportation (or the direct freight rate), and \$1.49 paid by the public in taxes for expenses of operating, maintaining, and repairing the canal, and interest on the State's investment in it. As contrasted with this total cost of \$1.94 for carrying one ton of freight 100 miles on the canal, the eastern railroads would have performed the same service for an average charge of \$1.09, or 43 per cent less than the total canal cost.

In 1928 the average total cost of carrying a ton of freight 100 miles on the Ohio River system was 82.4 cents, made up of 40 cents as the direct cost of transportation, and 42.4 cents paid by the public in taxes for interest on Government funds invested in improving the river and for maintaining the dams, wickets, and river channel. On the seven principal railways paralleling the Ohio, the average charge in 1928 for carrying a ton of freight 100 miles was 88.3 cents, but due to the winding course of the river, for every 100 miles of rail haul the river haul averages 150 miles. Therefore, for the movement of a ton of freight between two points 100 miles apart by railroad, the average costs of transportation was \$1.236 by river, and \$0.883, or almost 30 per cent less, by rail.

On the Mississippi River, in 1928, the average total cost of moving a ton of freight 100 miles was 74.5 cents, made up of 40 cents as the direct cost of transportation, and 34½ cents paid by the public in taxes as interest on the Government's investment in river improvements and for maintenance expenses. On the eight principal railways which roughly parallel the river, the average charge in 1928 for carrying a ton of freight 100 miles was \$1.009. But here again, because of the curving course followed by the river, the mileage by river between various points averages at least one-half again as much as the mileage by rail. In other words, between two towns 100 miles apart by rail, the water distance would average 150 miles. It would thus cost, to haul a ton of freight between these two points, \$1.12 by water and \$1 by railroad.

It must also be considered that in each of these cases the service by rail would be better and more valuable than that by water.

If those who favor the development of inland waterways decline to accept these figures, let them come forward with better data—not merely figures regarding comparative freight rates by rail and water, but reliable data regarding total costs such as would be convincing to any trained student of business and economic problems. The public is being asked to invest hundreds of millions of dollars in inland-waterway improvements, and in support of this expenditure it is being given information such as would not induce a business man to invest a dollar of his own capital.

The Nation has to-day a railway system which is being operated efficiently and is more than adequate to all the demands being made upon it. When it is proposed to develop another system of transportation by the expenditure of public money which, it is claimed, will carry freight at less cost, the burden of proving that claim obviously rests upon those who make it. As this other means of transportation is to be provided by increasing the taxes of the public, it is obvious that its development can not be

economically justified excepting by showing that it will almost certainly cause a reduction in what the public must pay for freight transportation that will exceed the increase in taxes it will make it necessary for the public to pay.

Formerly one of the principal arguments made for the development of inland waterways was that the introduction of this form of competition would force down railway rates. Now, we are often told that the development of waterways will not injure the railways—that waterways and railways do not compete with, but supplement each other, and that waterway development will so stimulate traffic as to increase the amount of it for both waterways and railways. I call your attention to the fact that in the statement of the Interstate Commerce Commission from which I quoted early in this address it referred specifically to the "competition of water lines." The commission is not deceived, and it would be foolish for the public to deceive itself. Every economist knows that inland waterways always have been and always will be competitors of the railways, and the more extensively they are developed the more traffic they will take from the railways—not because the cost of transportation on them is less, but because a large part of that cost is defrayed by the taxpayer.

The American people have a right to have any kind of transportation they want, and to spend their money in any way they please in order to get it. But what they have a right to do is one thing, and what it is wise for them to do is another thing.

The public, and especially business men, profess to want, among other kinds of transportation, good railway service rendered by railways owned and managed by private companies; and yet they are allowing and even urging their governments to so subsidize other means of transportation with the taxpayer's money, and to so differentiate between them and the railways in regulation, that railway rates are kept too low, enormous amounts of traffic are being diverted to other means of transportation, and our ability in the future to maintain the earning capacity and service of the railways under private ownership is being seriously threatened.

I urge each of you to study our entire transportation situation in this country, present and prospective, and only after such study to decide in what way your influence upon the Government's transportation policy shall be exerted both in your own self-interest and in the interest of the entire public. [Applause.]

MESSAGE FROM THE HOUSE—ENROLLED BILL SIGNED

A message from the House of Representatives by Mr. Haight, one of its clerks, announced that the Speaker had affixed his signature to the enrolled bill (S. 3273) to authorize the Postmaster General to issue additional receipts or certificates of mailing to senders of certain classes of mail matter and to fix the fees chargeable therefor, and it was signed by the Vice President.

PETITIONS

Mr. SHIPSTEAD presented a resolution adopted by the city council of Minneapolis, Minn., favoring the making of appropriations and the apportionments thereof needed for the vigorous prosecution of the work ordered by Congress in the adoption of the project for a 9-foot channel in the upper Mississippi River, which was referred to the Committee on Commerce.

Mr. CAREY presented resolutions adopted by Kemmerer Post, No. 17, the American Legion, of Kemmerer, Wyo., favoring the passage of legislation for the payment to all ex-service men of the face or maturity value of adjusted-service certificates upon being applied for by the owners of the certificates, which were referred to the Committee on Finance.

Mr. FESS presented a petition of sundry citizens of the State of Ohio praying for the passage of the so-called Kendall 44-hour week bill for postal employees, which was ordered to lie on the table.

Mr. MCGILL presented a petition of sundry citizens of Bourbon County, Kans., praying for the passage of legislation providing for the immediate payment of adjusted-service certificates of ex-service men, which was referred to the Committee on Finance.

He also presented the petition of C. S. Lawrence, of Wichita, and approximately 800 other citizens of Sedgwick County, Kans., praying for the passage of legislation for the payment in cash of adjusted-service certificates of ex-service men, which was referred to the Committee on Finance.

Mr. BLAINE presented a petition of sundry citizens of New Richmond, Wis., praying for the passage of legislation providing for the immediate payment in cash of soldiers' adjusted-compensation certificates, which was referred to the Committee on Finance.

He also presented petitions numerous signed by sundry citizens of the State of Wisconsin, praying for the passage

of legislation for the exemption of dogs from vivisection in the District of Columbia, which were referred to the Committee on the District of Columbia.

REPORTS OF COMMITTEES

Mr. SHEPPARD, from the Committee on Military Affairs, to which was referred the bill (S. 1712) for the relief of William T. J. Ryan, reported it with an amendment and submitted a report (No. 1260) thereon.

He also, from the same committee, to which were referred the following bills, reported them each without amendment and submitted reports thereon:

H. R. 516. An act for the relief of John Jakes (Rept. No. 1261); and

H. R. 7272. An act to provide for the paving of the Government road across Fort Sill (Okla.) Military Reservation (Rept. No. 1262).

Mr. FRAZIER, from the Committee on Indian Affairs, to which was referred the bill (H. R. 6663) for the relief of Peter R. Wadsworth, reported it with amendments and submitted a report (No. 1263) thereon.

DROUGHT RELIEF AND UNEMPLOYMENT (LA FOLLETTE RESOLUTION), REPORT NO. 1264

Mr. JONES. Mr. President, a few days ago the Senate directed the Appropriations Committee by Resolution No. 376 to take the testimony of certain gentlemen with reference to unemployment conditions throughout the country. I ask unanimous consent to present the testimony which has been taken by the Appropriations Committee and that it may be printed.

The PRESIDENT pro tempore. Without objection, it is so ordered.

BILLS AND JOINT RESOLUTIONS INTRODUCED

Bills and joint resolutions were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. ASHURST:

A bill (S. 5611) granting a pension to Eugene C. Harrington (with accompanying papers); to the Committee on Pensions.

By Mr. HALE:

A bill (S. 5612) providing for the appointment as ensigns in the line of the Navy all midshipmen who graduate from the Naval Academy in 1931, and for other purposes; to the Committee on Naval Affairs.

By Mr. ROBINSON of Arkansas:

A bill (S. 5613) for the relief of Commercial Loan & Trust Co., Monticello, Ark.; to the Committee on Claims.

By Mr. JOHNSON:

A bill (S. 5614) to provide for the establishment of a construction service in the Bureau of the Census of the Department of Commerce; to the Committee on Commerce.

By Mr. WALSH of Massachusetts:

A bill (S. 5615) for the relief of John Jakmauh; to the Committee on Military Affairs.

By Mr. NYE:

A bill (S. 5616) to amend an act entitled "An act to provide for the creation of the Colonial National Monument in the State of Virginia, and for other purposes," approved July 3, 1930; to the Committee on Public Lands and Surveys.

By Mr. MOSES:

A bill (S. 5617) for the relief of John W. Warren (with accompanying papers); to the Committee on Military Affairs.

A bill (S. 5618) granting an increase of pension to Louise M. Barlow (with accompanying papers); to the Committee on Pensions.

By Mr. ODDIE:

A bill (S. 5619) to authorize the acquisition of a site and the erection of a Federal building thereon at Yerington, Nev.; to the Committee on Public Buildings and Grounds.

By Mr. WATSON:

A bill (S. 5620) granting an increase of pension to Mariam Hill (with accompanying papers); to the Committee on Pensions.

By Mr. WAGNER:

A bill (S. 5622) to authorize appropriations for construction at Plattsburg Barracks, Plattsburg, N. Y., and for other purposes; to the Committee on Military Affairs.

By Mr. DENEEN:

A bill (S. 5623) to incorporate the National Woman's Relief Corps, Auxiliary to the Grand Army of the Republic; to the Committee on the Judiciary.

A bill (S. 5624) to extend the times for commencing and completing the construction of a bridge across the Ohio River at or near Shawneetown, Gallatin County, Ill., and a point opposite thereto in Union County, Ky.; and

A bill (S. 5625) providing for the participation of the United States in A Century of Progress (the Chicago World's Fair Centennial Celebration) to be held at Chicago, Ill., in 1933, authorizing an appropriation therefor, and for other purposes; to the Committee on Commerce.

A bill (S. 5626) granting a pension to Vivian N. Garrett (with accompanying papers);

A bill (S. 5627) granting an increase of pension to Emily M. Ryan (with accompanying papers); and

A bill (S. 5628) granting an increase of pension to Orthelia A. Whitwam (with accompanying papers); to the Committee on Pensions.

By Mr. CAPPER:

A bill (S. 5629) to provide for the regulation of the business of making loans of \$300 or less in the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

A bill (S. 5630) granting an increase of pension to Jessie M. Cox (with accompanying papers);

A bill (S. 5631) granting an increase of pension to Rebecca Jane Day (with accompanying papers); and

A bill (S. 5632) for the relief of Cordelia Evangeline Mitchell (with accompanying papers); to the Committee on Finance.

By Mr. WAGNER:

A bill (S. 5633) granting an increase of pension to Emma Jarvis McLean; to the Committee on Pensions.

A bill (S. 5634) to provide for cooperation with the several States in providing insurance against unemployment; to the Committee on Commerce.

By Mr. ROBINSON of Arkansas (by request):

A bill (S. 5635) authorizing the War Department to construct a levee and drainage ditch; to the Committee on Commerce.

By Mr. ROBINSON of Indiana:

A bill (S. 5636) granting a pension to Alfred McClellan (with accompanying papers); to the Committee on Pensions.

By Mr. SHIPSTEAD:

A bill (S. 5637) to regulate the discharge of water from certain reservoirs at the headwaters of the Upper Mississippi River; to the Committee on Commerce.

By Mr. HAYDEN:

A bill (S. 5638) granting a pension to Golden S. Briggs; to the Committee on Pensions.

By Mr. DILL:

A bill (S. 5639) authorizing the War Department to transfer 5,000 acres of land at Fort Lewis to the Navy Department for an auxiliary airship base; to the Committee on Military Affairs.

By Mr. HARRIS:

A bill (S. 5640) for the relief of S. K. Brown (with accompanying papers); to the Committee on Claims.

A bill (S. 5641) to give military status to officers and enlisted men of the National Guard who served as field or civilian clerks with the armed forces of the United States during the war with Spain; to the Committee on Military Affairs.

By Mr. FESS:

A joint resolution (S. J. Res. 228) to provide for the relocation of the statue of Maj. Gen. John A. Rawlins; to the Committee on the Library.

By Mr. SMOOT:

A joint resolution (S. J. Res. 229) tendering the thanks of Congress to Maj. Gen. Ulysses G. McAlexander and to the

officers and men under his command on July 15, 1918, for conspicuous gallantry and heroic conduct in the Second Battle of the Marne; to the Committee on Military Affairs.

By Mr. McKELLAR:

A joint resolution (S. J. Res. 230) authorizing and directing the Comptroller General to investigate and reexamine the account between the United States and the State of Tennessee with respect to cotton seized in the Civil War period and to advances and expenditures made by such State for military purposes during the War of 1812-1815, etc.; to the Committee on the Judiciary.

AMENDMENTS TO AGRICULTURAL APPROPRIATION BILL

Mr. WHEELER submitted an amendment intended to be proposed by him to House bill 15256, the Agricultural Department appropriation bill, which was referred to the Committee on Appropriations and ordered to be printed, as follows:

On page 48, line 4, to strike out "\$120,000" and insert in lieu thereof "\$130,000, of which not to exceed \$10,000 may be expended for grange-utilization research in cooperation with the United States Range Livestock Experiment Station at Miles City, Mont."

Mr. FLETCHER submitted an amendment intended to be proposed by him to House bill 15256, the Agricultural Department appropriation bill, which was referred to the Committee on Appropriations and ordered to be printed, as follows:

On page 36, line 22, strike out "\$1,355,360" and insert in lieu thereof "\$1,375,360."

Mr. HAYDEN submitted an amendment intended to be proposed by him to House bill 15256, the Agricultural Department appropriation bill, which was referred to the Committee on Appropriations and ordered to be printed, as follows:

On page 36, line 22, strike out "\$1,365,360" and insert in lieu thereof "\$1,385,360"; and on page 37, line 3, after the word "purpose," insert the following: "and of which \$20,000 shall be available for investigating, curing, transportation, and storage of dates grown in the United States."

AMENDMENTS TO DEFICIENCY APPROPRIATION BILL

Mr. CARAWAY submitted an amendment intended to be proposed by him to House bill 15592, the first deficiency appropriation bill, which was referred to the Committee on Appropriations and ordered to be printed, as follows:

On page 8, between lines 7 and 8, insert the following:

"FOOD LOANS TO FARMERS IN DROUGHT AND STORM STRICKEN AREAS
"To enable the Secretary of Agriculture, for the crop of 1931, to make advances or loans to farmers in the drought and/or storm stricken areas or hail-stricken areas, where he shall find that an emergency for such assistance exists, for the purchase of food, under such terms as he may prescribe, such advances or loans to be made, so far as practicable, under the same terms and conditions as the advances or loans made pursuant to the joint resolution entitled 'Joint resolution for the relief of farmers in the drought and/or storm stricken areas of the United States,' approved December 20, 1930, \$15,000,000."

Mr. WAGNER submitted an amendment intended to be proposed by him to House bill 15592, the first deficiency appropriation bill, which was referred to the Committee on Appropriations and ordered to be printed, as follows:

On page 9, line 14, insert the following:

"BUREAU OF LABOR STATISTICS

"For the collection and publication of statistics of the volume of changes in employment as required by the act of July 7, 1930, 'An act to amend section 4 of the act entitled "An act to create a Department of Labor, approved March 4, 1913,"' including personal services in the District of Columbia, \$40,000."

IMPROVEMENTS ON THE MONONGAHELA RIVER, PA.

Mr. REED submitted an amendment intended to be proposed by him to the joint resolution (H. J. Res. 441) amending section 1 of the act entitled "An act authorizing the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes," approved July 3, 1930, relating to the Monongahela River, Pa., which was referred to the Committee on Commerce and ordered to be printed.

UNEMPLOYMENT INSURANCE SYSTEMS

Mr. WAGNER submitted the following concurrent resolution (S. Con. Res. 36), which was referred to the Committee on Commerce:

Resolved by the Senate (the House of Representatives concurring), That there is hereby established a joint congressional committee to be composed of 5 Senators, of whom 3 shall be from the majority political party and 2 shall be from the minority political party, to be appointed by the President of the Senate, and 5 Members of the House of Representatives who are Members elect of the Seventy-second Congress, of whom 3 shall be from the majority political party and 2 shall be from the minority political party, to be appointed by the Speaker of the House of Representatives. The committee is authorized and directed to make a general study of the unemployment insurance systems in use by private interests in the United States and by foreign governments, with a view to determining (1) the manner in which such systems were instituted and are now being operated, (2) the cost involved and the results achieved under each such system, (3) the relief, if any, afforded by each such system during the economic depression of 1930, and (4) the condition of each such system on July 1, 1931, with particular regard to the manner in which it survived the economic depression of 1930. The committee shall report to the Congress on or before December 7, 1931, the results of such study, together with its recommendations for necessary legislation.

For the purposes of this resolution the committee or any duly authorized subcommittee thereof is authorized to hold such hearings, to sit and act at such times and places during the sessions or recesses of the Seventy-first and succeeding Congresses, to employ such experts and clerical, stenographic, and other assistants, to require, by subpoena or otherwise, the attendance of such witnesses and the production of such books, papers, and documents, to administer such oaths, and to take such testimony and to make such expenditures as it deems advisable. The cost of stenographic services to report such hearings shall not be in excess of 25 cents per hundred words. The expenses of the committee, which shall not exceed \$50,000, shall be paid, one-half from the contingent fund of the Senate and one-half from the contingent fund of the House of Representatives, upon vouchers approved by the chairman of the committee.

INTERNATIONAL WATER COMMISSION, UNITED STATES AND MEXICO (S. DOC. NO. 250)

The PRESIDENT pro tempore laid before the Senate the following message from the President of the United States, which was read, and, with the accompanying papers, referred to the Committee on Foreign Relations and ordered to be printed:

To the Congress of the United States:

I commend to the favorable consideration of the Congress the inclosed report from the Secretary of State to the end that legislation may be enacted to authorize an appropriation of \$287,000 to defray the expenses of the American section of the International Water Commission, United States and Mexico, in continuing its study, in cooperation with representatives of Mexico, of a plan for the equitable use of the waters of the lower Rio Grande, the lower Colorado, and Tia Juana Rivers, for submission to the Congress, pursuant to the provisions of the act of May 13, 1924, entitled "An act providing for a study regarding the equitable use of the waters of the Rio Grande below Fort Quitman, Tex., in cooperation with the United States of Mexico," as amended by the act of March 3, 1927.

HERBERT HOOVER.

THE WHITE HOUSE, January 9, 1931.

(Inclosure: Report from the Secretary of State.)

WELFARE OF MOTHERS AND INFANTS

The PRESIDENT pro tempore. The Chair lays before the Senate the unfinished business which will be stated.

The CHIEF CLERK. A bill (S. 255) for the promotion of the health and welfare of mothers and infants, and for other purposes.

Mr. SMOOT. Mr. President, I ask unanimous consent that the unfinished business be temporarily laid aside and that the Senate proceed to the consideration of the Interior Department appropriation bill.

The PRESIDENT pro tempore. Is there objection?

Mr. KING. May I ask my colleague if he intends to proceed to-night with consideration of the appropriation bill?

Mr. SMOOT. No.

The PRESIDENT pro tempore. Is there objection?

Mr. BLAINE. Mr. President, I am disposed to object to the unanimous-consent request. It seems to me the bill which is the unfinished business, the maternity bill, is being kicked around hither and yon, and it appears to be a vehicle at this session of Congress for what apparently may develop into a real filibuster on the part of the administration. So I object to the displacing of the unfinished business.

The PRESIDENT pro tempore. Objection is made.

RECESS

Mr. McNARY. I move that the Senate take a recess until 12 o'clock noon to-morrow.

The motion was agreed to; and the Senate (at 7 o'clock and 10 minutes p. m.) took a recess until to-morrow, Saturday, January 10, 1931, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate January 9 (legislative day of January 5), 1931

POSTMASTERS

ALABAMA

Marion F. Boatwright to be postmaster at Ashville, Ala., in place of M. F. Boatwright. Incumbent's commission expired January 7, 1931.

Levi A. Knapp to be postmaster at Auburn, Ala., in place of L. A. Knapp. Incumbent's commission expired December 13, 1930.

Harry C. Peterson to be postmaster at Robertsedale, Ala., in place of H. C. Peterson. Incumbent's commission expired January 7, 1931.

Albert N. Holland to be postmaster at Scottsboro, Ala., in place of A. N. Holland. Incumbent's commission expired January 7, 1931.

ALASKA

Wilkie T. Pinkerton to be postmaster at Fairbanks, Alaska, in place of W. T. Pinkerton. Incumbent's commission expired December 10, 1930.

Oren F. Hill to be postmaster at Hyder, Alaska, in place of O. F. Hill. Incumbent's commission expired December 10, 1930.

Elizabeth D. De Armond to be postmaster at Sitka, Alaska, in place of E. D. De Armond. Incumbent's commission expired December 10, 1930.

ARIZONA

Edward J. Huxtable to be postmaster at Douglas, Ariz., in place of E. J. Huxtable. Incumbent's commission expired January 7, 1931.

ARKANSAS

Robert B. Cox to be postmaster at Prairie Grove, Ark., in place of R. B. Cox. Incumbent's commission expired December 10, 1930.

Charles M. Davis to be postmaster at Scott, Ark., in place of T. W. Steele, jr., resigned.

CALIFORNIA

Charles A. Osborn to be postmaster at Atwater, Calif., in place of C. A. Osborn. Incumbent's commission expired December 17, 1930.

Alice McNamee to be postmaster at Castroville, Calif., in place of Alice McNamee. Incumbent's commission expires January 15, 1931.

Charles K. Niblack to be postmaster at North Hollywood, Calif., in place of C. K. Niblack. Incumbent's commission expired December 22, 1930.

Jessica H. Wright to be postmaster at Sierra Madre, Calif., in place of J. H. Wright. Incumbent's commission expired December 22, 1930.

Emma S. Gillum to be postmaster at Summerland, Calif. Office became presidential July 1, 1930.

Frederick W. Brinker to be postmaster at Temple City, Calif., in place of F. W. Brinker. Incumbent's commission expired December 22, 1930.

Grace P. Johnson to be postmaster at Windsor, Calif., in place of M. N. Johnson, deceased.

COLORADO

David P. Saunders to be postmaster at Brush, Colo., in place of D. P. Saunders. Incumbent's commission expired December 14, 1930.

James G. Jardine to be postmaster at Frederick, Colo., in place of J. G. Jardine. Incumbent's commission expired December 10, 1930.

Olie Thorson to be postmaster at Glenwood Springs, Colo., in place of Olie Thorson. Incumbent's commission expired December 10, 1930.

Frank L. Alexander to be postmaster at Ovid, Colo., in place of F. L. Alexander. Incumbent's commission expired December 10, 1930.

CONNECTICUT

Guy M. Bartlett to be postmaster at Andover, Conn., in place of G. M. Bartlett. Incumbent's commission expired December 13, 1930.

Harry N. Prann to be postmaster at Centerbrook, Conn., in place of H. N. Prann. Incumbent's commission expired December 21, 1930.

Irving S. Cook to be postmaster at Higganum, Conn., in place of I. S. Cook. Incumbent's commission expired December 17, 1930.

Anthony Hansen to be postmaster at North Windham, Conn., in place of Anthony Hansen. Incumbent's commission expired December 13, 1930.

W. Frank Smith to be postmaster at Wallingford, Conn., in place of W. F. Smith. Incumbent's commission expired December 17, 1930.

DELAWARE

Stanley S. Stevens to be postmaster at Delaware City, Del., in place of S. S. Stevens. Incumbent's commission expired December 21, 1930.

Charles R. Lee to be postmaster at Clearwater, Fla., in place of C. R. Lee. Incumbent's commission expired December 21, 1930.

FLORIDA

Lewis A. Morris to be postmaster at Leesburg, Fla., in place of W. G. Ross. Incumbent's commission expired May 17, 1930.

Richard M. Hall to be postmaster at St. Petersburg, Fla., in place of R. M. Hall. Incumbent's commission expired December 13, 1930.

IDAHO

Joseph S. Cooper to be postmaster at Carey, Idaho, in place of J. S. Cooper. Incumbent's commission expired January 5, 1931.

ILLINOIS

Benjamin F. Helfers to be postmaster at Arlington Heights, Ill., in place of B. F. Helfers. Incumbent's commission expired December 11, 1930.

Cleo Preston to be postmaster at Arrowsmith, Ill., in place of Cleo Preston. Incumbent's commission expired December 11, 1930.

Hanson A. Garner to be postmaster at Chandlerville, Ill., in place of H. A. Garner. Incumbent's commission expired December 22, 1930.

Howard N. Gillespie to be postmaster at Chenoa, Ill., in place of H. N. Gillespie. Incumbent's commission expired December 11, 1930.

Philip W. Maxeiner to be postmaster at Dorchester, Ill., in place of P. W. Maxeiner. Incumbent's commission expired December 14, 1930.

Reuben A. Gumbel to be postmaster at Forest City, Ill., in place of R. A. Gumbel. Incumbent's commission expired December 11, 1930.

Walter J. Holt to be postmaster at Hanna City, Ill., in place of W. J. Holt. Incumbent's commission expired December 14, 1930.

Thomas H. Plemon to be postmaster at Jonesboro, Ill., in place of T. H. Plemon. Incumbent's commission expired December 11, 1930.

Mary G. Lawless to be postmaster at Loraine, Ill., in place of A. E. King. Incumbent's commission expired December 18, 1929.

Milton G. Hartenbower to be postmaster at Lostant, Ill., in place of M. G. Hartenbower. Incumbent's commission expired December 14, 1930.

Henry E. Farnam to be postmaster at Pawnee, Ill., in place of H. E. Farnam. Incumbent's commission expires January 14, 1931.

Daisy A. Nieman to be postmaster at Philo, Ill., in place of D. A. Nieman. Incumbent's commission expired December 11, 1930.

Lucian D. Lyons to be postmaster at St. David, Ill., in place of L. D. Lyons. Incumbent's commission expired May 18, 1930.

Hazel M. Riber to be postmaster at South Pekin, Ill., in place of H. M. Riber. Incumbent's commission expired December 22, 1930.

INDIANA

Martha T. Dunn to be postmaster at Bargersville, Ind. Office became presidential July 1, 1930.

Benjamin F. Pitman to be postmaster at Bedford, Ind., in place of B. F. Pitman. Incumbent's commission expired December 13, 1930.

Donas E. Denny to be postmaster at Cloverdale, Ind., in place of D. E. Denny. Incumbent's commission expired December 14, 1930.

Charles M. Woodfill to be postmaster at Greensburg, Ind., in place of H. T. Kitchin. Incumbent's commission expired March 31, 1930.

John C. Hinshaw to be postmaster at Westfield, Ind., in place of J. C. Hinshaw. Incumbent's commission expired December 14, 1930.

IOWA

Anna Reardon to be postmaster at Auburn, Iowa, in place of Anna Reardon. Incumbent's commission expired December 16, 1930.

Bertha Zadow to be postmaster at Blencoe, Iowa, in place of Bertha Zadow. Incumbent's commission expired December 21, 1930.

Blinn N. Smith to be postmaster at Coon Rapids, Iowa, in place of B. N. Smith. Incumbent's commission expired December 10, 1930.

Charles S. Lewis to be postmaster at Davenport, Iowa, in place of C. S. Lewis. Incumbent's commission expired December 10, 1930.

Otto W. Bierkamp to be postmaster at Durant, Iowa, in place of O. W. Bierkamp. Incumbent's commission expired December 16, 1930.

Carrie Andersen to be postmaster at Hancock, Iowa, in place of Carrie Andersen. Incumbent's commission expired December 10, 1930.

Albert Lille to be postmaster at Lake View, Iowa, in place of Albert Lille. Incumbent's commission expired December 16, 1930.

Arvin C. Sands to be postmaster at Mallard, Iowa, in place of A. C. Sands. Incumbent's commission expired December 10, 1930.

Rush A. Culver to be postmaster at Manly, Iowa, in place of E. F. Walter, resigned.

Harry J. Perrin to be postmaster at Monroe, Iowa, in place of H. J. Perrin. Incumbent's commission expired December 16, 1930.

Oscar J. Houstman to be postmaster at Olin, Iowa, in place of O. J. Houstman. Incumbent's commission expired December 21, 1930.

Leslie H. Bell to be postmaster at Paullina, Iowa, in place of L. H. Bell. Incumbent's commission expired December 16, 1930.

KANSAS

Philip F. Grout to be postmaster at Almena, Kans., in place of P. F. Grout. Incumbent's commission expired December 13, 1930.

Joseph B. Dick to be postmaster at Ellinwood, Kans., in place of J. B. Dick. Incumbent's commission expired December 20, 1930.

Edmond Houdyshell to be postmaster at Pawnee Rock, Kans., in place of Edmond Houdyshell. Incumbent's commission expired December 20, 1930.

KENTUCKY

John G. Leak to be postmaster at Franklin, Ky., in place of E. H. Blewett, deceased.

Frank C. Wilson to be postmaster at Fredonia, Ky., in place of C. L. Loyd, deceased.

Harlan M. Hatfield to be postmaster at Glendale, Ky., in place of H. M. Hatfield. Incumbent's commission expired December 15, 1929.

Della McDaniel to be postmaster at Horse Cave, Ky., in place of Della McDaniel. Incumbent's commission expired December 21, 1930.

Nancy E. Sergent to be postmaster at Shonn, Ky., in place of N. E. Sergent. Incumbent's commission expired December 21, 1930.

Flora Carroll to be postmaster at West Paducah, Ky., in place of Flora Carroll. Incumbent's commission expired July 2, 1930.

John S. Jones to be postmaster at West Point, Ky., in place of J. S. Jones. Incumbent's commission expired December 15, 1929.

LOUISIANA

Edward L. Mire to be postmaster at Laplace, La., in place of E. L. Mire. Incumbent's commission expired December 14, 1930.

MAINE

Nellie B. Jordan to be postmaster at Cumberland Center, Me., in place of G. W. Jordan, resigned.

Preston N. Burleigh to be postmaster at Houlton, Me., in place of P. N. Burleigh. Incumbent's commission expired December 14, 1930.

Edward I. Waddell to be postmaster at Presque Isle, Me., in place of E. I. Waddell. Incumbent's commission expired December 14, 1930.

Robert J. Dyer to be postmaster at Turner, Me., in place of R. J. Dyer. Incumbent's commission expired December 10, 1930.

MARYLAND

Elmer W. Sterling to be postmaster at Church Hill, Md., in place of E. W. Sterling. Incumbent's commission expires January 10, 1931.

Walter W. Flanigan to be postmaster at Deer Park, Md., in place of W. W. Flanigan. Incumbent's commission expired December 16, 1930.

Lawrence M. Taylor to be postmaster at Ferryman, Md., in place of L. M. Taylor. Incumbent's commission expired December 16, 1930.

Mary C. Worley to be postmaster at Riverdale, Md., in place of M. C. Worley. Incumbent's commission expired December 16, 1930.

MASSACHUSETTS

Fred S. Black to be postmaster at Auburn, Mass., in place of F. S. Black. Incumbent's commission expired December 21, 1930.

Lucius E. Estey to be postmaster at Brookfield, Mass., in place of L. E. Estey. Incumbent's commission expired December 21, 1930.

Horace W. Collamore to be postmaster at East Bridgewater, Mass., in place of H. W. Collamore. Incumbent's commission expired December 21, 1930.

Annie E. Cronin to be postmaster at North Wilmington, Mass., in place of A. E. Cronin. Incumbent's commission expired December 21, 1930.

Merton Z. Woodward to be postmaster at Shelburne Falls, Mass., in place of M. Z. Woodward. Incumbent's commission expires January 10, 1931.

Douglas H. Knowlton to be postmaster at South Hamilton, Mass., in place of D. H. Knowlton. Incumbent's commission expired December 21, 1930.

Silas D. Reed to be postmaster at Taunton, Mass., in place of S. D. Reed. Incumbent's commission expired December 21, 1930.

MICHIGAN

Henry W. Boyle to be postmaster at Bark River, Mich., in place of H. W. Boyle. Incumbent's commission expired December 11, 1930.

Hiram L. Dawson to be postmaster at Ellsworth, Mich., in place of H. L. Dawson. Incumbent's commission expired December 21, 1930.

Helen B. Martin to be postmaster at Indian River, Mich., in place of H. B. Martin. Incumbent's commission expired December 21, 1930.

Charles L. Meach to be postmaster at Lakeview, Mich., in place of C. L. Meach. Incumbent's commission expired December 11, 1930.

Walter G. Rogers to be postmaster at Lansing, Mich., in place of W. G. Rogers. Incumbent's commission expired December 14, 1930.

Ada E. Gibbs to be postmaster at Mancelona, Mich., in place of A. E. Gibbs. Incumbent's commission expired December 21, 1930.

Alberta Montpas to be postmaster at Powers, Mich., in place of Alberta Montpas. Incumbent's commission expired December 21, 1930.

Cameron E. Rose to be postmaster at Walled Lake, Mich., in place of C. E. Rose. Incumbent's commission expired December 11, 1930.

William R. Bryce to be postmaster at Yale, Mich., in place of W. R. Bryce. Incumbent's commission expired December 14, 1930.

MINNESOTA

Arthur F. Johnson to be postmaster at Barrett, Minn., in place of A. F. Johnson. Incumbent's commission expired January 21, 1930.

Mary J. Stensby to be postmaster at Cyrus, Minn., in place of M. J. Stensby. Incumbent's commission expired January 21, 1930.

Nels E. Nelson to be postmaster at Fergus Falls, Minn., in place of N. E. Nelson. Incumbent's commission expires January 25, 1931.

Emanuel Nyman to be postmaster at Foley, Minn., in place of Emanuel Nyman. Incumbent's commission expired December 17, 1930.

Robert B. Forrest to be postmaster at Lake Wilson, Minn., in place of R. B. Forrest, resigned.

Joseph J. Barta to be postmaster at Lonsdale, Minn., in place of F. J. Machacek, resigned.

Clyde W. Long to be postmaster at Osakis, Minn., in place of C. W. Long. Incumbent's commission expired July 2, 1930.

Otto C. H. Heinzel to be postmaster at Sauk Rapids, Minn., in place of O. C. H. Heinzel. Incumbent's commission expired December 21, 1930.

William A. Clement to be postmaster at Waseca, Minn., in place of W. A. Clement. Incumbent's commission expired December 21, 1930.

Edward Lende to be postmaster at Appleton, Minn., in place of Edward Lende. Incumbent's commission expired July 2, 1930.

MISSISSIPPI

Sallie P. Flemming to be postmaster at Cruger, Miss., in place of W. G. Berry. Incumbent's commission expired April 20, 1930.

Charlie M. Breazeale to be postmaster at Ethel, Miss., in place of I. I. Massey. Incumbent's commission expired June 7, 1930.

William D. Woods to be postmaster at Houston, Miss., in place of W. D. Woods. Incumbent's commission expired December 14, 1930.

Walter L. Goodman to be postmaster at Iuka, Miss., in place of W. L. Goodman. Incumbent's commission expired December 14, 1930.

Erskine C. Cloon to be postmaster at Jackson, Miss., in place of W. A. Freeman. Incumbent's commission expired June 22, 1930.

Amy E. Axtell to be postmaster at Madison Station, Miss., in place of M. E. Herring. Incumbent's commission expired February 15, 1930.

Ocran C. Elliott to be postmaster at Nettleton, Miss., in place of O. C. Elliott. Incumbent's commission expired December 14, 1930.

Alfred L. King to be postmaster at Vance, Miss., in place of A. L. King. Incumbent's commission expired December 16, 1930.

MISSOURI

Jesse W. Brown to be postmaster at Crane, Mo., in place of J. W. Brown. Incumbent's commission expired December 17, 1930.

William T. Thompson to be postmaster at Eugene, Mo., in place of W. T. Thompson. Incumbent's commission expired December 17, 1930.

Clarence Wehrle to be postmaster at Eureka, Mo., in place of Clarence Wehrle. Incumbent's commission expired December 17, 1930.

Edward W. Stiegemeier to be postmaster at Gray Summit, Mo., in place of R. J. Renneberg, resigned.

Arden R. Workman to be postmaster at Lockwood, Mo., in place of J. A. Pidcock. Incumbent's commission expired March 16, 1930.

Lawrence L. Hahn to be postmaster at Marble Hill, Mo., in place of M. W. Ledbetter, removed.

MONTANA

Ernest C. Robinson to be postmaster at Wyola, Mont., in place of E. C. Robinson. Incumbent's commission expired December 21, 1930.

NEBRASKA

John C. Rollins to be postmaster at Indianola, Nebr., in place of J. C. Rollins. Incumbent's commission expired December 11, 1930.

Charles R. Wareham to be postmaster at Kearney, Nebr., in place of C. R. Wareham. Incumbent's commission expired December 11, 1930.

Iva V. Clappett to be postmaster at Naponee, Nebr., in place of I. V. Clappett. Incumbent's commission expired December 11, 1930.

Elmer G. Watkins to be postmaster at Orleans, Nebr., in place of E. G. Watkins. Incumbent's commission expired December 21, 1930.

George W. Harding to be postmaster at Ralston, Nebr., in place of G. W. Harding. Incumbent's commission expired January 6, 1931.

Mary E. McBeath to be postmaster at South Sioux City, Nebr., in place of M. E. McBeath. Incumbent's commission expired December 11, 1930.

NEW HAMPSHIRE

Blanche B. Pineo to be postmaster at Center Ossipee, N. H., in place of E. W. Hodsdon, deceased.

Willard C. Fogg to be postmaster at Lincoln, N. H., in place of W. C. Fogg. Incumbent's commission expired December 11, 1930.

NEW MEXICO

H. Emory Davis to be postmaster at Los Lunas, N. Mex., in place of H. E. Davis. Incumbent's commission expired December 16, 1930.

NEW YORK

Lewis H. Miller to be postmaster at Accord, N. Y., in place of L. H. Miller. Incumbent's commission expired December 11, 1930.

Ivan G. Howe to be postmaster at Belmont, N. Y., in place of I. G. Howe. Incumbent's commission expired December 11, 1930.

Henry Gibson to be postmaster at Cornwall, N. Y., in place of Henry Gibson. Incumbent's commission expired December 11, 1930.

Mildred E. Monroe to be postmaster at Croghan, N. Y., in place of E. J. Monroe, deceased.

John G. Cochrane to be postmaster at Darien Center, N. Y., in place of J. G. Cochrane. Incumbent's commission expired December 11, 1930.

Hans C. Hansen to be postmaster at Fishers Island, N. Y., in place of H. C. Hansen. Incumbent's commission expired December 11, 1930.

LeRoy Krom to be postmaster at High Falls, N. Y., in place of LeRoy Krom. Incumbent's commission expired December 11, 1930.

R. D. Rider to be postmaster at Medford Station, N. Y., in place of R. D. Rider. Incumbent's commission expired January 25, 1930.

Charles W. Fletcher to be postmaster at Montour Falls, N. Y., in place of C. W. Fletcher. Incumbent's commission expired December 21, 1930.

George A. Gardner to be postmaster at Newfield, N. Y., in place of G. A. Gardner. Incumbent's commission expired December 11, 1930.

Lawrence D. Carr to be postmaster at Petersburg, N. Y., in place of L. D. Carr. Incumbent's commission expired December 11, 1930.

John A. Page to be postmaster at Phelps, N. Y., in place of E. G. Miller, deceased.

William T. Binks to be postmaster at Rome, N. Y., in place of W. T. Binks. Incumbent's commission expired January 6, 1931.

John A. Maybee to be postmaster at St. James, N. Y., in place of J. A. Maybee. Incumbent's commission expired December 11, 1930.

George B. Sample to be postmaster at Schaghticoke, N. Y., in place of G. B. Sample. Incumbent's commission expired December 11, 1930.

Dexter S. Slack to be postmaster at Speculator, N. Y., in place of D. S. Slack. Incumbent's commission expired December 21, 1930.

Burton A. Fradenburg to be postmaster at Stanfordsville, N. Y. Office became presidential July 1, 1929.

Frank Davis to be postmaster at Stone Ridge, N. Y., in place of Frank Davis. Incumbent's commission expired December 11, 1930.

Victor J. Banfield to be postmaster at Van Etten, N. Y., in place of V. J. Banfield. Incumbent's commission expired January 6, 1931.

William S. Elwyn to be postmaster at Woodstock, N. Y., in place of W. S. Elwyn. Incumbent's commission expired December 11, 1930.

NORTH CAROLINA

Riley W. King to be postmaster at Candler, N. C., in place of R. W. King. Incumbent's commission expired December 14, 1930.

Nollie M. Patton to be postmaster at Morganton, N. C., in place of N. M. Patton. Incumbent's commission expired December 13, 1930.

Roy F. Shupp to be postmaster at New Bern, N. C., in place of R. F. Shupp. Incumbent's commission expired January 5, 1931.

John L. Dixon to be postmaster at Oriental, N. C., in place of J. L. Dixon. Incumbent's commission expired December 13, 1930.

Blanche S. Wilson to be postmaster at Warsaw, N. C., in place of B. S. Wilson. Incumbent's commission expires January 10, 1931.

NORTH DAKOTA

Robert E. Hurly to be postmaster at Forman, N. Dak., in place of O. B. Johnson, deceased.

Nels D. Nelson to be postmaster at Milnor, N. Dak., in place of N. D. Nelson. Incumbent's commission expired December 17, 1930.

OHIO

Ralph I. Wolf to be postmaster at Coolville, Ohio, in place of R. I. Wolf. Incumbent's commission expired December 21, 1930.

Frank G. Winterringer to be postmaster at Hilliards, Ohio, in place of F. G. Winterringer. Incumbent's commission expired December 21, 1930.

James M. Leatherman to be postmaster at Hoytville, Ohio, in place of J. M. Leatherman. Incumbent's commission expired December 13, 1930.

Howard J. Swearingen to be postmaster at Kensington, Ohio, in place of H. J. Swearingen. Incumbent's commission expired December 13, 1930.

Frank R. Jackson to be postmaster at Nelsonville, Ohio, in place of F. R. Jackson. Incumbent's commission expired December 17, 1929.

Joseph M. Collins to be postmaster at Springfield, Ohio, in place of J. M. Collins. Incumbent's commission expired December 21, 1930.

Dora D. Doughty to be postmaster at Walbridge, Ohio, in place of D. D. Doughty. Incumbent's commission expired December 13, 1930.

Duane G. Keener to be postmaster at West Salem, Ohio, in place of D. G. Keener. Incumbent's commission expired December 21, 1930.

OKLAHOMA

Harold W. Amis to be postmaster at Covington, Okla., in place of H. W. Amis. Incumbent's commission expired December 16, 1930.

Ulysses S. Curry to be postmaster at Newkirk, Okla., in place of U. S. Curry. Incumbent's commission expired March 16, 1930.

William H. McKinley to be postmaster at Pondcreek, Okla., in place of W. H. McKinley. Incumbent's commission expired December 22, 1930.

Nora R. Dennis to be postmaster at Sperry, Okla., in place of R. F. Harshbarger. Incumbent's commission expired January 8, 1930.

Thomas B. Fessenger to be postmaster at Wynne Wood, Okla., in place of T. B. Fessenger. Incumbent's commission expired December 16, 1930.

OREGON

Roy C. Hale to be postmaster as Echo, Oreg., in place of R. C. Hale. Incumbent's commission expired December 14, 1930.

Irwin D. Pike to be postmaster as Grass Valley, Oreg., in place of I. D. Pike. Incumbent's commission expired December 14, 1930.

Edward W. VanHorn to be postmaster at North Portland, Oreg., in place of N. A. Perry. Incumbent's commission expired May 8, 1930.

Russell H. Sullens to be postmaster at Prairie City, Oreg., in place of R. H. Sullens. Incumbent's commission expired December 14, 1930.

PENNSYLVANIA

Daniel Jones to be postmaster at Coaldale, Pa., in place of Daniel Jones. Incumbent's commission expired December 17, 1930.

Harvey A. McKillip to be postmaster at Bloomsburg, Pa., in place of H. A. McKillip. Incumbent's commission expires January 10, 1931.

Louise E. Carpenter to be postmaster at Bushkill, Pa., in place of H. H. Potter, deceased.

Arthur B. Carey to be postmaster at Elkland, Pa., in place of T. C. Wood. Incumbent's commission expired December 21, 1929.

James S. Crawford to be postmaster at Freeland, Pa., in place of J. S. Crawford. Incumbent's commission expired December 16, 1930.

Mark M. Merritt to be postmaster at Granville Summit, Pa., in place of M. M. Merritt. Incumbent's commission expired December 16, 1930.

Nellie B. Lyons to be postmaster at Grindstone, Pa., in place of Beatrice Davidson, removed.

George W. Murphy to be postmaster at Hawley, Pa., in place of G. W. Murphy. Incumbent's commission expired December 16, 1930.

Paul Smith to be postmaster at Hughesville, Pa., in place of Paul Smith. Incumbent's commission expired December 20, 1930.

Joseph J. Myers to be postmaster at Irvine, Pa. Office became presidential July 1, 1930.

Clarence F. Ellis to be postmaster at Jamestown, Pa., in place of C. F. Ellis. Incumbent's commission expired December 21, 1930.

Lena E. Gould to be postmaster at McClellandtown, Pa., in place of L. E. Gould. Incumbent's commission expired January 6, 1931.

Robert G. Stilwell to be postmaster at Masontown, Pa., in place of R. G. Stilwell. Incumbent's commission expired December 21, 1930.

John W. Biddle to be postmaster at Millville, Pa., in place of J. W. Biddle. Incumbent's commission expired December 21, 1930.

Margaret M. Jones to be postmaster at Miquon, Pa., in place of M. M. Jones. Incumbent's commission expired December 22, 1930.

Charles J. Hieber to be postmaster at Perrysville, Pa. Office became presidential July 1, 1930.

Franklin H. Bean to be postmaster at Quakertown, Pa., in place of F. H. Bean. Incumbent's commission expires January 10, 1931.

Gardner H. Brown to be postmaster at Rouseville, Pa., in place of A. N. Rose, resigned.

Beula E. Dembaugh to be postmaster at Russellton, Pa., in place of B. E. Dembaugh. Incumbent's commission expired December 22, 1930.

George F. Carling to be postmaster at Sayre, Pa., in place of G. F. Carling. Incumbent's commission expired December 16, 1930.

Jessie M. Burns to be postmaster at Selinsgrove, Pa., in place of J. M. Burns. Incumbent's commission expired December 16, 1930.

Frank Shupp to be postmaster at Shillington, Pa., in place of Frank Shupp. Incumbent's commission expired December 16, 1930.

Roy L. Kalbfus to be postmaster at Shohola, Pa., in place of R. L. Kalbfus. Incumbent's commission expired December 16, 1930.

Louis O. Mellinger to be postmaster at Slickville, Pa., in place of L. O. Mellinger. Incumbent's commission expired January 6, 1931.

Robert J. Weld to be postmaster at Sugargrove, Pa., in place of R. J. Weld. Incumbent's commission expired December 22, 1930.

Charles B. Illig to be postmaster at Womelsdorf, Pa., in place of C. B. Illig. Incumbent's commission expired December 17, 1930.

SOUTH CAROLINA

Walter T. Barron to be postmaster at Fort Mill, S. C., in place of W. T. Barron. Incumbent's commission expired December 14, 1930.

Horace M. Watkins to be postmaster at Ridge Spring, S. C., in place of H. M. Watkins. Incumbent's commission expired December 14, 1930.

SOUTH DAKOTA

Carl H. Kubler to be postmaster at Deadwood, S. Dak., in place of C. H. Kubler. Incumbent's commission expired December 17, 1930.

Benjamin R. Stone to be postmaster at Lead, S. Dak., in place of B. R. Stone. Incumbent's commission expires January 14, 1931.

Clarence A. Carlson to be postmaster at Philip, S. Dak., in place of C. A. Carlson. Incumbent's commission expires January 14, 1931.

Matt Flavin to be postmaster at Sturgis, S. Dak., in place of Matt Flavin. Incumbent's commission expires January 14, 1931.

TENNESSEE

Samuel N. Barr to be postmaster at Baxter, Tenn., in place of S. N. Barr. Incumbent's commission expired December 13, 1930.

Myrtle E. Hambright to be postmaster at Charleston, Tenn., in place of M. E. Hambright. Incumbent's commission expired December 22, 1930.

John D. Taff to be postmaster at Dandridge, Tenn., in place of J. D. Taff. Incumbent's commission expired December 11, 1930.

John V. Allmon to be postmaster at Gleason, Tenn., in place of J. V. Allmon. Incumbent's commission expired December 11, 1930.

Malcomb B. Tipler to be postmaster at Grand Junction, Tenn., in place of T. E. Tipler, resigned.

Everett R. Doolittle to be postmaster at Madison, Tenn., in place of E. R. Doolittle. Incumbent's commission expired January 6, 1931.

Robert H. Thompson to be postmaster at Rockwood, Tenn., in place of R. H. Thompson. Incumbent's commission expired December 11, 1930.

Marvie L. Tipton to be postmaster at Townsend, Tenn., in place of M. L. Tipton. Incumbent's commission expired December 11, 1930.

Gaston H. Rhodes to be postmaster at Whiteville, Tenn., in place of G. H. Rhodes. Incumbent's commission expired December 11, 1930.

TEXAS

Joseph H. Wright to be postmaster at Byers, Tex., in place of J. H. Wright. Incumbent's commission expired December 11, 1930.

John C. Gee to be postmaster at Call, Tex., in place of J. C. Gee. Incumbent's commission expired December 17, 1929.

William F. Stuart to be postmaster at Canutillo, Tex., in place of W. F. Stuart. Incumbent's commission expired December 11, 1930.

William A. White to be postmaster at Cleveland, Tex., in place of W. A. White. Incumbent's commission expired June 12, 1930.

Lillian W. White to be postmaster at Clint, Tex., in place of L. W. White. Incumbent's commission expired December 10, 1928.

Jean Teel to be postmaster at Devine, Tex., in place of Jean Teel. Incumbent's commission expired December 11, 1930.

Carrie E. Netz to be postmaster at Edcouch, Tex. Office became presidential July 1, 1929.

Charles E. Hart to be postmaster at Fort Stockton, Tex., in place of C. E. Hart. Incumbent's commission expired December 11, 1930.

Charles A. Duck to be postmaster at Greenville, Tex., in place of C. A. Duck. Incumbent's commission expired December 20, 1930.

Sallie E. St. Jaque to be postmaster at Higgins, Tex., in place of S. E. St. Jaque. Incumbent's commission expired December 13, 1930.

Valcor G. Pringle to be postmaster at Jasper, Tex., in place of V. G. Pringle. Incumbent's commission expired December 11, 1930.

George Rice to be postmaster at Jayton, Tex., in place of George Rice. Incumbent's commission expired December 11, 1930.

William F. Moore to be postmaster at Kemp, Tex., in place of W. F. Moore. Incumbent's commission expired December 20, 1930.

James W. McBee to be postmaster at Lavernia, Tex., in place of J. W. McBee. Incumbent's commission expired December 11, 1930.

John L. Dillon to be postmaster at Leonard, Tex., in place of J. L. Dillon. Incumbent's commission expired December 20, 1930.

Charlie N. Hooser to be postmaster at Maypearl, Tex., in place of C. N. Hooser. Incumbent's commission expired December 11, 1930.

Arthur A. McNiel to be postmaster at Moody, Tex., in place of A. A. McNiel. Incumbent's commission expired December 20, 1930.

Joseph Wren to be postmaster at Normangee, Tex., in place of Joseph Wren. Incumbent's commission expired December 20, 1930.

William T. Henderson to be postmaster at Odessa, Tex., in place of W. T. Henderson. Incumbent's commission expired December 11, 1930.

Douglas P. Rounds to be postmaster at Rio Hondo, Tex., in place of D. P. Rounds. Incumbent's commission expired December 11, 1930.

Fannie Stieber to be postmaster at Rocksprings, Tex., in place of Fannie Stieber. Incumbent's commission expired December 13, 1930.

Mary A. Haskell to be postmaster at Stockdale, Tex., in place of M. A. Haskell. Incumbent's commission expired January 6, 1931.

Burna H. Cain to be postmaster at Thrall, Tex., in place of B. H. Cain. Incumbent's commission expired December 11, 1930.

Thomas D. Coupland to be postmaster at Winters, Tex., in place of B. F. Huntsman. Incumbent's commission expired April 20, 1930.

UTAH

Arza C. Page to be postmaster at Payson, Utah, in place of A. C. Page. Incumbent's commission expired January 6, 1931.

Josephine H. Day to be postmaster at Woods Cross, Utah, in place of J. H. Day. Incumbent's commission expired January 7, 1931.

VIRGINIA

Denton T. Walthall to be postmaster at Alberta, Va., in place of D. T. Walthall. Incumbent's commission expired December 22, 1930.

Charles E. Nash to be postmaster at Amonate, Va. Office became presidential July 1, 1930.

Robert P. Dickenson to be postmaster at Dante, Va., in place of R. P. Dickenson. Incumbent's commission expires January 10, 1931.

E. Pearl Smith to be postmaster at Dublin, Va., in place of T. D. Rorrer, resigned.

John N. Coffman to be postmaster at Edinburg, Va., in place of J. N. Coffman. Incumbent's commission expired December 22, 1930.

S. Clyde Bliss to be postmaster at Farmville, Va., in place of S. C. Bliss. Incumbent's commission expires January 10, 1931.

Samuel G. Allen to be postmaster at Front Royal, Va., in place of S. G. Allen. Incumbent's commission expired December 22, 1930.

John W. Ketron, jr., to be postmaster at Lebanon, Va., in place of J. W. Ketron, jr. Incumbent's commission expired December 22, 1930.

Mathew B. Hammitt to be postmaster at Pocahontas, Va., in place of M. B. Hammitt. Incumbent's commission expired January 5, 1931.

Robert S. Bowers to be postmaster at Timberville, Va., in place of R. S. Bowers. Incumbent's commission expired December 22, 1930.

Roy M. Cleek to be postmaster at Warm Springs, Va., in place of R. M. Cleek. Incumbent's commission expired December 22, 1930.

WASHINGTON

Robin A. Runyan to be postmaster at Ariel, Wash. Office became presidential July 1, 1930.

Jesse R. Imus to be postmaster at Chehalis, Wash., in place of J. R. Imus. Incumbent's commission expired December 17, 1930.

Edith M. Lindgren to be postmaster at Cosmopolis, Wash., in place of E. M. Lindgren. Incumbent's commission expired December 17, 1930.

Mark L. Durrell to be postmaster at Deer Park, Wash., in place of M. L. Durrell. Incumbent's commission expired December 17, 1930.

Edward Van Dyke to be postmaster at Lake Stevens, Wash., in place of Edward Van Dyke. Incumbent's commission expires January 15, 1931.

Alfred Polson to be postmaster at Mount Vernon, Wash., in place of W. R. Wells, deceased.

Frank S. Clem to be postmaster at Olympia, Wash., in place of F. S. Clem. Incumbent's commission expired December 17, 1930.

William R. Cox to be postmaster at Pasco, Wash., in place of W. R. Cox. Incumbent's commission expires January 15, 1931.

Charles E. Rathbun to be postmaster at Pomeroy, Wash., in place of C. E. Rathbun. Incumbent's commission expires January 15, 1931.

Marion J. Rood, to be postmaster at Richmond Highlands, Wash., in place of M. J. Rood. Incumbent's commission expired December 17, 1930.

Selina Laughlin to be postmaster at Vader, Wash., in place of Selina Laughlin. Incumbent's commission expired December 17, 1930.

WEST VIRGINIA

Charles E. Davis to be postmaster at East Rainelle, W. Va. Office became presidential July 1, 1929.

Nora V. Roberts to be postmaster at Glenville, W. Va., in place of N. V. Roberts. Incumbent's commission expired December 21, 1930.

Homer Fogg to be postmaster at Lost Creek, W. Va., in place of W. P. Jett, deceased.

John W. Fortney to be postmaster at Lumberport, W. Va., in place of J. W. Fortney. Incumbent's commission expired December 11, 1930.

John W. Farnsworth to be postmaster at Weston, W. Va., in place of C. B. Goodwin, deceased.

Flavius E. Strickling to be postmaster at West Union, W. Va., in place of F. E. Strickling. Incumbent's commission expired December 21, 1930.

Louis Knakal to be postmaster at Widen, W. Va., in place of Louis Knakal. Incumbent's commission expired December 11, 1930.

WISCONSIN

Peter E. Korb to be postmaster at Boyd, Wis., in place of P. E. Korb. Incumbent's commission expires January 14, 1931.

John A. Mathys to be postmaster at Casco, Wis., in place of J. A. Mathys. Incumbent's commission expired December 22, 1930.

Hazel I. Hicks to be postmaster at Linden, Wis., in place of H. I. Hicks. Incumbent's commission expired December 22, 1930.

Roland Harpt to be postmaster at Mishicot, Wis., in place of E. L. Wilsman, resigned.

David R. Fryklund to be postmaster at Prentice, Wis., in place of D. R. Fryklund. Incumbent's commission expired December 22, 1930.

Otto A. Olson to be postmaster at Star Prairie, Wis., in place of O. A. Olson. Incumbent's commission expires January 14, 1931.

WYOMING

Mayme A. Jackson to be postmaster at Osage, Wyo., in place of M. A. Jackson. Incumbent's commission expired December 16, 1930.

Thomas B. Wright to be postmaster at Riverton, Wyo., in place of T. B. Wright. Incumbent's commission expired December 16, 1930.

William O. Braley to be postmaster at Upton, Wyo., in place of W. O. Braley. Incumbent's commission expired December 16, 1930.

CONFIRMATIONS

Executive nominations confirmed by the Senate January 9 (legislative day of January 5), 1931

UNITED STATES MARSHAL

Lynn Smith to be United States marshal, division No. 4, District of Alaska.

APPOINTMENT AND PROMOTIONS IN THE COAST AND GEODETIC SURVEY

To be aides

Kenneth Surrell Ulm.	Robert Alexander Marshall.
Jeremiah Strauther Mor-	Herman Carl Applequist.
ton.	Junius Thomas Jarman.
John Crawford Ellerbe.	

To be junior hydrographic and geodetic engineers

Ernest Bane Lewey.	Ross Angus Gilmore.
Edwin Caleb Baum.	John Laskowski.
Clifton James Wagner.	

To be hydrographic and geodetic engineers

Albert Jay Hoskinson. Glendon Edwin Boothe.
 Jack Chester Sammons. Earle Andrew Deily.
 Isidor Rittenburg. John Carlos Bose.

POSTMASTERS

PENNSYLVANIA

Charles H. Truby, Apollo.
 Lemuel A. Bosserman, Barnesboro.
 William J. Wilson, Bentleyville.
 George Wetmiller, Berlin.
 Hilda A. Lago, Bessemer.
 Arthur R. Lovell, Blandburg.
 Emma J. Coleman, Braeburn.
 Lewis C. Mensch, Catawissa.
 Joseph E. Lohr, Central City.
 Clayton S. Bell, Chicora.
 J. Henry Gibson, Conneautville.
 Vera Ritchey, Dunlo.
 William E. Reed, Duquesne.
 George D. Kinkead, Ebensburg.
 George H. Cole, Evans City.
 Alexander Hamilton, Export.
 William H. Weston, Gallitzin.
 Emma M. Schrock, Garrett.
 Harry L. Warnick, Glen Riddle.
 Edward S. Lawrence, Graterford.
 Wilson R. Kulp, Hatfield.
 Mae Van Buskirk, Kinzua.
 William H. Lowry, Ligonier.
 Thomas B. Conrad, Lilly.
 Harold D. Lowing, Linesville.
 Tillie Bradley, Loretto.
 Arch R. Lykens, Martinsburg.
 Thomas V. Diffendafer, Millerstown.
 Thomas H. Kelly, Moores.
 Mary M. Davis, Mount Morris.
 J. Bertram Nesper, Narberth.
 Elma C. Dryden, New Galilee.
 Mary G. Campbell, Nottingham.
 Homer T. Wear, Orbisonia.
 Thomas Powell, Patton.
 Samuel E. Crawford, Petrolia.
 Edward Bayley, Picture Rocks.
 Smith M. McCreight, Reynoldsville.
 John E. Pennel, Rydal.
 Jennie W. McFarland, Sagamore.
 Jean McPherson, St. Benedict.
 Otto W. Petry, Salisbury.
 Lucille T. Packer, Skytop.
 Zola K. Rodkey, Spangler.
 Annie O. Sandt, Stockertown.
 Hulda J. McCormick, South Connellsville.
 Vincent S. Pownall, Swarthmore.
 Charles H. Potter, Titusville.
 Alvin O. Sieg, Tobyhanna.
 Dean R. Clifford, Trafford.
 John F. Dougherty, Villanova.

HOUSE OF REPRESENTATIVES

FRIDAY, JANUARY 9, 1931

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D.,
 offered the following prayer:

Just now, our Blessed Heavenly Father, we would be lifted up above the lower range of our faculties and meditate for this moment in the realm of the invisible. There are many gods—gods of cruelty, gods of law, gods of equity—but what we need is the God of Divine Fatherhood, with patience, forbearance, and forgiveness. We praise Thee that Thou art our Lord and our God, and Thou wilt sustain us when we falter, and even catch us when we fall. In this most baffling world, through its difficult ways of human adventure, we

bless Thee for the assurance of our most holy faith. Welcome discordances, for they are the background of the sweet melody of the heavenly life. Welcome the crash of circumstances, for it drives us to the altar of dependence. Welcome infirmities, for they are the loosening of the cords of our earthly tabernacle. Welcome troubles, for they tell us that we are crossing the sea, and just ahead is the crown set in the sunburst of eternal glory. O God, lead us to where the farthest beacon beckons. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE PRESIDENT

Sundry messages in writing from the President of the United States were communicated to the House by Mr. Latta, one of his secretaries.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Craven, its principal clerk, announced that the Senate had agreed to the amendments of the House to the bill (S. 3273) entitled "An act to authorize the Postmaster General to issue additional receipts or certificates of mailing to senders of any class of mail matter and to fix the fees chargeable therefor."

GEORGE CAMPBELL

Mr. UNDERHILL. Mr. Speaker, I present the following privileged resolution from the Committee on Accounts, which I send to the desk and ask to have read.

The Clerk read as follows:

House Resolution 331

Resolved, There shall be paid out of the contingent fund of the House of Representatives to Dr. George Campbell, son of Hon. James Campbell, late an employee of the House, an amount equal to six months' compensation and an additional amount not exceeding \$250 to defray the funeral expenses and last sickness of the said James Campbell.

With the following committee amendment:

Line 2, strike out the word "Doctor" and insert the word "executor," and in line 3, strike out the word "Honorable."

The committee amendments were agreed to and the resolution as amended was agreed to.

FRANCES SLADE

Mr. UNDERHILL. Mr. Speaker, also the following resolution, which I send to the desk and ask to have read.

The Clerk read as follows:

House Resolution 318

Resolved, There shall be paid out of the contingent fund of the House of Representatives to Frances Slade, the widow of Charles Slade, late an employee of the House, an amount equal to six months' compensation and an additional amount not exceeding \$250 to defray the funeral expenses and last illness of the said Charles Slade.

The resolution was agreed to.

AGNES HELEN KUBELDZIS

Mr. UNDERHILL. Mr. Speaker, I also present the following privileged resolution, which I send to the desk and ask to have read.

The Clerk read as follows:

House Resolution 308

Resolved, That there shall be paid out of the contingent fund of the House Agnes Helen Kubeldzis, mother of Albert J. Kubeldzis, late clerk to Congressman GEORGE W. LINDSAY, a sum equal to six months' compensation as such clerk, together with the amount due him at date of his death and an additional amount not exceeding \$250, to defray the funeral expenses of the said Albert J. Kubeldzis.

With the following committee amendment:

Line 5, strike out the words "together with the amount due him at date of his death."

The amendment was agreed to and the resolution as amended was agreed to.

FRED R. MILLER

Mr. UNDERHILL. Mr. Speaker, I also present the following resolution, which I send to the desk and ask to have read.